



## THE MADRAS LEGISLATIVE COUNCIL

Wednesday, the 14th May 1952.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

[Note.—An asterisk (\*) at the commencement of a speech indicates revision by the Member.]

### MOTION FOR ADMONITION TO A MEMBER FOR BREACH OF PRIVILEGE OF THE HOUSE—cont.

MR. CHAIRMAN :—“ I wish to inform hon. Members that I have received notice of an amendment from Sri S. B. Adityan, to the motion moved by the Hon. Leader of the House yesterday, namely :—

“ Omit the words “ And whereas by such indecorous . . . admonition to the hon. Member for his misconduct ” and add the words “ This House, by virtue of the powers and privileges vested in this House as per Article 194 (3) of the Constitution and in conformity with those of the House of Commons of the United Kingdom, hereby refers the above matter to a Committee of Privileges to be constituted as per Rule 143 ” . ”

“ I call upon the hon. Member to move it formally. ”

SRI S. B. ADITYAN :—“ Sir, I formally move the following amendment <sup>a</sup> now and reserve my speech to the end :—

“ Omit the words “ And whereas by such indecorous . . . admonition to the hon. Member for his misconduct ” and add the words “ This House, by virtue of the powers and privileges vested in this House as per Article 194 (3) of the Constitution and in conformity with those of the House of Commons of the United Kingdom, hereby refers the above matter to a Committee of Privileges to be constituted as per Rule 143 ” . ”

SRI M. P. GOVINDA MENON :—“ I second the amendment, Sir. ”

MR. CHAIRMAN :—“ Both the original motion and the amendment are now for discussion. ”

“ Sri T. Prakasam may now continue his speech. ”

SRI T. PRAKASAM :—“ Sir, yesterday, I was dealing with the question whether there was anything wrong done by me when I stood up in that House and spoke on a point of order. Take this resolution. The resolution says, ‘ in deliberate disregard of all constitutional proprieties. ’ What is the Constitution which the Hon. Leader of the House is thinking of? What is the provision in utter disregard of which I stood up in the Joint House to speak on a point of order? The Constitution must be the Constitution under which we are governed. If it is not so, is it in utter disregard of constitutional propriety that prevailed in Great Britain in the past, or that prevails to-day. Sir, we have nothing to do with the British Constitution to-day after we have passed the Constitution Act. We have nothing to do with King George, who was once the ruler of India. But, we are now guided by the Constitution that we passed

<sup>a</sup> Please see addition to the amendment page 222 infra.

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after three years of deliberation in Delhi, in what was called the Constituent Assembly. My esteemed Friend seems to be under the impression that he is still under the rule of King George. We are not under the rule of King George. We were once under his rule, no doubt, and it was King George that appointed Sri C. Rajagopalachari as the Governor-General of India. When King George went away altogether from our presence, Sri Rajagopalachari's Governor-Generalship also ended. Sri Rajagopalachari should not, therefore, be under the impression that we are still controlled by the British Constitution. We are controlled by our own Constitution. And, what is the position of the Governor under our Constitution? Sometimes, reference was made to the King's position in Great Britain and the King opening the Parliament of Britain. As I said, now we are controlled by our Constitution. The Preamble of the Constitution might be looked into by the Hon. Leader of the House who tabled this motion. What does that Preamble say? The Preamble says, on the question who are the rulers of this country, after King George had gone away, that the people of India are the rulers of India. That is the basis of the whole Constitution. The people of India are the rulers of this country. Then what did we provide next? How are the people of India to be governed? We made a provision that the people of India shall be governed by a set of Ministers who should function on their behalf, for their benefit. Who are these Ministers? No doubt, we adopted the procedure of the British in this matter also, as with regard to many other things. That is, these Ministers who are appointed by the people are asked to carry on the administration on behalf of the people. Minister, you may call him. But, what is he? He is a servant of the people. The Prime Minister is the first servant of the people; the other Ministers are the other servants of the people, to form the executive and carry on the administration.

"Now, Sir, having said how the Ministry should be formed, what further provision was made to make the Constitution really representative of the people who are made the rulers of this country? It is in the name of the people of India, and every part of India, that the Government is to be carried on. Ministers had to be appointed. And what is the procedure laid down? These Ministers should be the elected members of the Assembly. Was such a Ministry formed in this State? No. It was not formed by the elected representatives of the people in the Assembly, or even in the Council, if you make a provision even for that. A nominated Minister was called by the Governor and asked to be the Leader of the Congress party and also to form a Government.

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"Yesterday my hon. Friend, Sri Adityan, was referring to the fact that the Leader of the House pleaded inability to go through an election at his age and he wanted a nomination to this House from the Governor who was quite new to this Province. I do not wish to dwell upon what passed between the Governor and the Leader of the House who approached him and made a request that he should be made a Member of this Council so that his seat in the



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House might become lawful and look reasonable also. Let me submit to you, Sir, that old age cannot give any protection to anybody who wishes to come under the new Constitution of India and who wishes to become a ruler of the State. Recently, Sir, in the general elections of England in 1950, Sir Stafford Cripps, now no more, who was the leader of the Labour party asked the Secretary of the Labour organization to tell the people of his constituency that he was unable to address them and so, he could plead to his constituents on his behalf. You know, Sir, what reply was sent by the Secretary of the Labour organization. He sent back a note to him saying: 'My dear friend, you will be running the risk of losing the seat if you do not address the electors yourself. That was the position of the electors. That was the position with reference to the election of a Member by his constituency. But now, here, see the manner in which the Leader of the House approached the Governor, made a request to be nominated to the Council; and having got that done, to have gone to the Congress Committee here and accepted the leadership is unconstitutional and unpardonable conduct. It was unconstitutional and unlawful and no excuse can be offered for it. This country is governed by the people under the new Constitution, and under the Constitution everything is provided for, for carrying on the elections and every one who wanted to have a share in the governance of the country must come through the election and this he failed to do and he got himself nominated. I have cited the case of Sir Stafford Cripps to show what value is attached to the position of electors who, in practice, are the real rulers of this country as King George is no longer the ruler of this country nor are the British people the rulers of the country, because the people are the real rulers of the country, the people of India who fought for freedom for nearly thirty years under the leadership of the great departed soul, Mahatma Gandhi. We, however, adopted the British method because for two hundred years and more we have been under their rule and we have been used to their methods and to thinking in terms of the British-made Acts and Regulations. As I was pointing out to you yesterday, Sir, this is not a Constitution over which I was very pleased myself. I was sitting there like a fool without raising the point in proper time. Then I rose up and asked Dr. Ambedkar who was in charge of this subject: 'For whose benefit is the Constitution being framed; are you framing this constitution for the benefit of King George and the British people who have left this country or for the benefit of the people of India who have made all kinds of sacrifices and ultimately succeeded in getting the British people out of this land?' When I raised this point, there were some little confusion in the minds of the people who had fallen into the rut of framing the Constitution on the British lines. We adopted the Government of India Act of 1935 as part of the Constitution framed by the people though that Act was prepared and passed by the British people when we were in revolt against them; it was passed in England and not in this country and it was passed without caring for the people of this country. When I raised the point, others followed and a general debate ensued in

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which many people supported the position taken up by me. What were they to do? They had already gone half-way in the matter of framing the Constitution and they said, if my objections were to be accepted, they would have to cancel the whole thing and get back to the very beginning and already more than a year and a half had been taken and it would lead to further delay and then it was suggested that the present procedure might be followed and the Constitution might be completed adding Article 40 to the Constitution. If you take that Article, you will see, Sir, that what was wanted for the people of India was a Panchayat Raj, a Panchayat Raj which will do away with all these costly paraphernalia of these institutions. If the Panchayat Raj was established, people's Raj would be established and the people will be in a position to get their money into their own hands and carry on the administration from the village to the top and not from the top to the bottom, and everything would be in perfect order. If you look into the proceedings, you will see, Sir, that they said: 'We cannot give up this Constitution at this stage and begin again; so, we shall, within the frame-work of the Constitution, introduce the panchayat system so that it would become the real People's Raj and the People's Government.' Five years have elapsed and my Friend was away as the Governor-General and then as the Governor of a Province and then the Home Minister and what has been done all these five years? We are in the second quinquennium, in the beginning of it. What have I done in utter disregard of the Constitution and of constitutional propriety? Have I done anything which can be described as disregarding any portion of the Constitution; have I acted in disregard of constitutional propriety? Constitutional propriety is the propriety that related to the people of India who are the real rulers of this country, the people of India who have secured for their benefit the services of these Ministers and Governors who are really their servants, although they go by the name of Ministers; and in the exercise of the authority that is vested in them, they will have to go according to the will and desire of the people who sent them to power. These Ministers and the Leader of the House are still under the impression that they are living under the rule of King George, that the English people are the rulers and that they are governing this country. They must understand that the constitutional propriety which was observed then must go and no such thing can be pleaded now in this House by anybody and particularly by Ministers who are the servants of the people, but appointed by the Governor. Let them understand that it is through the elections that Members come up and it is from among them that Ministers are selected and whoever commands the confidence of the country should be called upon to undertake the responsibility of Government on behalf of the people. Therefore, Sir, I am submitting that no disregard of any constitutional propriety was shown by me. Far from it, I was only doing my duty which was cast upon me under the Constitution in the name of the people and on behalf of the people, and in the exercise of my functions as a representative of the people I would have failed, Sir, in my duty if I had not got up on that occasion to protest to that Governor, who, I submit is there only as the agent of



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the Ministers, who, in their turn, are only the servants of the people. It is in that way the Governor is there under the Constitution. Therefore, Sir, I got up on that day from my seat when the Governor came to open the session and aid, 'My good Sir, I have to make a request to you.' Immediately, like a good man he sat down. Not one word of protest came from him. He did not say, 'When I am here as the King's representative and when I speak here as the King's representative, nobody should stand in my way.' No such thing did he say. The moment I stood up in my place, he sat quiet and I stated what I had to say. Now, in this, where is the disregard of any constitutional propriety? I was only discharging a duty which was cast upon me to make a particular representation at the proper time. This new Constitution has not changed the attitude of my Friends in this country after they have become Premiers and Ministers. They still imagine they are still under the British rule, that they are bound to carry on on the British model. It is not so; they are bound to proceed only as per the Indian Constitution. Therefore, I am submitting there is no disregard of any Constitutional propriety. There was no discourtesy shown to anybody by me. Nothing of that sort. What was the discourtesy that I could have shown to the Governor? The Governor, poor man, he came there to do his duty because his name is mentioned in the Indian Constitution as the person who has to go there to open the session of the legislature. So, Sir, if one understands the whole spirit of the Constitution and not merely the language, one must also know all these facts. Simply because the British people ruled in our country for such a long period and British traditions have been handed down to us we should not go under the impression that a constitutional impropriety has been committed by me. People fought for 150 years to secure their freedom under the leadership of that great man, who is now no more, and it is for those people to do the necessary thing to carry on the administration by themselves, that is through their representatives. Because the Ministers during the past four years turned against the people, they denied that they were their true representatives and they challenged them and asked them: 'Who are you to talk on behalf of the people and who are you to rule over us? What we ask you to do must prevail.' I tried to put into their heads the constitutional position; but they disregarded me and finally they were thrown out by the people themselves in the general election, no doubt with one or two exceptions.

"Now, Sir, why should it be taken that the Governor was insulted? To the Governor I could have stated certain things which perhaps may have offended him, if only those facts were stated. But I did not touch on those things. My Friend conceded yesterday so far as my speech was concerned that he was not troubled about that speech or about the statement of facts set out in my speech then; but he wanted the Members of this House to note that the disregard of the constitutional propriety was the question, that is, Mr. Prakasam getting up in his seat and stating that he was raising a point of order. That was the crime committed by Mr. Prakasam. That is the huge offence of Mr. Pakasam, I never

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expected Sri Rajagopalachari would have taken that point as a constitutional impropriety and put it in the form of a resolution before this House. Is it that I am working against the interest of the people and Sri Rajagopalachari is working in the interest of the people? I was obliged or rather compelled to say all those things in the speech that I made before the Governor because of the various happenings in this State before and after Sri Rajagopalachari was appointed Chief Minister. We were concerned with all those matters and we looked at the whole thing ever since he took charge of this State as a leader of the Congress Party and also as a leader of the people. I said, he did not really constitute the leader under the Constitution; I said, he cannot contend that he was the duly appointed leader or the Chief Minister of this State. Therefore, no offence did I commit and no disregard did I show to the Governor. The Governor allowed me to have my say. He was so good he did not say one word; he did not say 'You sit down; I am in charge of the House; you cannot get up when I am in charge of the House.' He sat back in his Chair when I rose up to speak and he sat there till I had finished and walked out. Why was this considered unconstitutional? In Britain they put a lot on procedure. Why did they provide for the Speaker going to the House of Lords and the King's representative opening the Parliament? I ask, why all these things were provided there? Because they had gone through their struggle for freedom through a space of hundred years; they walked through rivers of blood in the City of London; there was an autocratic King; he did not recognize the will of the people; he put his interests before the interests of the people; this went on until it came to the time of King Charles I; the head of King Charles I was cut off, because of the tyrannical rule by him and his refusal to have anything to do with the people. After that incident the British people established a constitutional Government and they were ever after anxious to see that no such incident as in the past occurred in their country. Here, in India, we dispensed with all those things when we framed our Constitution; because it was all a thing of the past. Such things would not happen here. Such things would not happen in this part of the country, which has one-fifth of the whole population of India, of six crores. Nobody complained here of the tyranny of the State. I was once speaking on the budget four years back; I said, I would not give my vote, because there had been persistent misrule in my part of the State. My people framed charges against Ministers and wanted an inquiry. But there was nobody in the name of the great Congress, who said there would be any inquiry. There was utter disregard and contempt for the complaints. I then said in the course of my speech that I would not give my vote to the budget. That budget was concerned with the salary paid to the Ministers. The people in my part of the country were feeling that the Congress or its leaders in the State, the Chief Minister and the members of his Cabinet were not willing to give relief to them. So I refused to give my vote to the budget. Now let me give this warning to the Government and to the Congress people. They are under the misapprehension that the people in my area are dead.



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I tell them, let them note that the people of my area are not dead; they are fully alive to their duties. I have been asking them to proceed in this manner and then justice will come to them. So they kept quiet. I stated so at that time. But no change came. We thought we would be freed from the shackles of the old tyranny and we would have the freedom to constitute our own Government, but this leader, the Chief Minister, considered it fit, after refusing several times to become the leader of this area and take up the responsibility of forming a Government, rushed into it and took charge of the administration. Now, what has he been doing after he took charge? Look at his performance from day to day. He took hold of those innocent fellows who are called Communists and simply hurled into their face the words 'You are my public enemy No. 1; I am your public enemy No. 1.' This sort of statement, is it to be expected from a Chief Minister who is expected to be equally disposed to all people, including the criminals who are in jails after conviction?

"No one should have felt it right to get up and say, 'You are my enemy No. 1; I am your enemy No. 1.' What is the constitutional procedure that was adopted by this great leader? It is an unthinkable position. I had been through the constitutions of the rest of the world and their practice. Nowhere in the history of the world, even in the worst days of the Czar and other people, do we see such a precedent. Nobody would get up and say this. After saying that, he thought that Mr. Prakasam should not be left alone for having delivered the speech interrupting His Excellency the Governor's Address. When the speech was delivered, were not other hon. Members sitting there? He was seated there. He could have got up and raised the objection, 'How can this man be allowed to go on speaking in this manner?' They were also good at that time. After four or five days they thought that they should take note of what was said there. For this purpose they thought they should blow up Prakasam and free this country from all other troubles. He might have thought so. But Prakasam has not been blown up. Prakasam is ready to be blown up by the leader if he thinks that he has committed an offence in getting up before the Governor and attempting to speak on behalf of the people. As I told you, the misrule in this part of the country went to such an extent. I was not a particular friend of these Communists. When I was in charge of the administration of this State, I dealt with them very severely and attempted to deal with them very severely. What has happened during the last four years of misrule? All the worst troubles which any human being can suffer have been suffered in this area. What did the Congress do with the Communists? On the one hand, they took some of the Communists into the rooms of the Ministers, pardoned them and immediately liberated them. On the other hand, they wanted to put down Communism. In what manner? By shooting at sight any man who is reported to be a Communist. If information is given, the policeman is there with his gun to shoot the Communist down at once. Like this, misrule of the worst kind prevailed in this part of the country. As I was travelling in the train, women and

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children came to me and complained, 'My husband was taken away on such and such a date and until now nothing is known about that man.' This is the way in which the administration has been carried on. As a result of all these activities and atrocities committed in the name of law and order, when the general elections came, the people voted for the Communist candidates. The Communists were underground and they were not capable of creating danger. I know the kind of men who commit most of the atrocities on the border of the Andhra area and other parts of the country. Those men are altogether different and they are not the Communists who have come into the Legislature. No mistake should be made because of the stories that were told in the past. In certain areas Communist friends have been working in their own way. I have not been spared by them in the elections. They defeated my candidates and they have come out successful. I have no particular charm or love or affection for them. They are the men who have been elected in a legitimate manner under the provisions of the Constitution. They have been sworn in and they have become Members of this House. To such people, without any provocation given by them to the Leader of the House, the Leader of the House said, 'You are my enemy No. 1.' He has disqualified himself to be the ruler of this State by that one statement. Then again, see how he thought it fit to promulgate an order under section 144 of the Code of Criminal Procedure, and say all kinds of things against the Members of the Assembly and Members of this House, perhaps, without any enquiry and without any material before him. He promulgated that order and he wanted to terrify the people of that area in that particular manner. What are the other things which this Hon. Leader of the House may not be doing in future? I am one target for him. He said, 'You are public enemy No. 1.' I am working for the people disregarding all these restrictions and obstructions caused to the people in the name of the Ministry. You must take off my head if you are to change the Constitution. You have changed the Constitution there to cut away the rights of the people conceded by the original Constitution. You may do that thing also here and I am prepared for that. Yesterday, Sir, when a false Rajagopalachari called me on the telephone and asked me whether I was going to attend this House, even after he told me that they were going to expel me, I said that I wanted to see what expulsion was, though I had seen so many other things. Therefore, I said that I would be going to the Council. Sri Rajagopalachari himself should take pity upon all of us who are the subjects under his rule. He is not the real ruler. If I have got my own way of thinking and doing and acting in this matter, after this thing has been done, I would have adopted a different course altogether and different methods altogether. Mahatma Gandhi taught people not only to carry on the constructive programme but also to deal with wickedness when it came from the rulers. It is by the methods that he taught us, by the methods employed by us and by sacrifices made by the people that freedom was achieved. When these Congressmen themselves become the rulers, one should never expect them



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to do things in this manner. After five years of misrule, this thing comes up in this manner. To begin with, when we are face to face with this tyranny of the Congress, we have to resist. We are prepared to resist whatever may be the consequences and whatever may be the position which other parties take. They should not think that they constitute the whole country. We do not constitute the whole people. We are here only as representatives. We come here in their name and on their behalf. If we abuse our position, they are entitled to send us away from this part of our work. Yesterday, the Leader of the House was good enough to say, 'I do not want to go into the contents of the speech or to say anything of the speech itself, but the question is one of violation of propriety.' That violation consists in my standing and making a speech. He did not want to go into the allegations. About the teachers, look at the position taken up by him. The teachers, according to him, did not come here mainly for their own sake, but for the sake of all the people, and only incidentally for their sake. They said they were not getting sufficient income to make a living. The teachers may remain content that they have come here though not mainly for their own sake. They have their own problems of food and clothing for their families. They are doing public work. About the public work they do, not a word was mentioned by the Leader of the House. Teachers are representing the pupils in the country. What is the system of education that was given to the students under the British rule? After the British rule, what is the system of education that is given to the people? What is the provision that is made with regard to the enlargement of schools? These things did not enter into his mind. I am submitting, Sir, that everyone who has come here has come to serve the people and to do his work in a particular manner. Sir, in the course of the debate I do not know what other Friends are going to say. I have come here deliberately. I do not want to escape by any back door or this or that technical objection. Friends are bound to raise objections. I spoke in the beginning about the jurisdiction of the Court. I am fully prepared to take the whole responsibility. What I said to the Governor is the truth, the whole truth and nothing but the truth. I stated the truth in the interests of the country and in the interests of the people. Now this House consists of 72 Members, 60 elected and 12 nominated. This nomination business is also copied by us from Great Britain. I would say one thing to the twelve nominated Members. They are nominated by the Governor himself or they are nominated by the Governor at their request or on the recommendation of Sri C. Rajagopalachari. None of the nominated Members should be under a mistaken impression that they are the Governor's servants or Sri Rajagopalachari's servants. They are the servants of the people. Provision was made in the Constitution for nomination so as to cover representation under the different heads. Allow me to tell the nominated Members of this House, there was a period, long ago, when Dr. Nair who was a particular friend of Dr. U. Rama Rao, was nominated. Dr. Nair was a good fighter. Although there were divisions created at that time and though Dr. Nair was defeated in

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the elections, he was taken by the Government as a nominated Member. Then there was the prevailing belief that whoever was nominated by the Governor would be bound to carry on the work according to the wishes of the Government. Take the files and you can see that invariably wherever the people's interests were concerned, Dr. Nair was voting against the Government and not in favour of the Government, merely because they nominated him as a Member. The nominated Members of this House must keep that in view.

“ There is another party here which calls itself the Krishikar Lok Party. A speech was made by my old friend, Sri V. Ramakrishna. Sri V. Ramakrishna was not aware of the conditions under which the Krishikar Lok Party came into existence. It is part of my belly. They came out of this belly. They quarrelled with me on some points of detail and then constituted themselves into the Krishikar Lok Party. If Sri V. Ramakrishna had known all these details and how the whole thing came about—I have got the papers with me—he would not have risen to justify the position of the Krishikar Lok Party. I would deal with it separately when it comes up.

“ Then, Sir, there are certain Members who came to this House on our ticket, the K.M.P. ticket, who have changed their minds, have called themselves ‘ Independents ’ and have been voting with the Government. All these matters will have to be dealt with in detail when opportunity comes. Therefore, Sir, I do not want to keep other Members long on this matter and I shall resume my seat.”

\* SRI V. GURUNANDAN ROW :—“ Mr. Chairman, Sir, I oppose this motion on more grounds than one. Well, this is a matter which, I consider, does not raise any question of privilege at all. The resolution, Sir, runs as follows :—

‘ Whereas on the sixth day of May 1952, when the two Houses had assembled together for the purpose of listening to the Address of His Excellency the Governor under Article 176 (1) of the Constitution, the hon. Member Sri T. Prakasam in deliberate disregard of all constitutional proprieties, rose and interrupted the proceedings by delivering a speech questioning the competence of His Excellency to address the Houses and casting reflections on his conduct as Governor of this State;

‘ And whereas by such indecorous and disorderly conduct, the hon. Member committed a breach of the privileges of this House and was guilty of a grave contempt; . . . ’

Sir, what is the privilege that has been broken? Whose privilege has been broken? Who is the person who has got a privilege? I say, Sir, both under Article 194 (3) of the Constitution and according to the procedure of the House of Commons, it is only either the House or the Members collectively as a House or individual Members that have a privilege. No person who is not a Member of the House has got any privilege. I say the Governor is not a Member of any House and, as a matter of fact, it is a disqualification. Article 158 of the Constitution says that the Governor shall not be a Member of either House of Parliament or of a



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House of the Legislature of any State. Is it the privilege of the Governor that is now alleged to have been broken? Is it contended that he had a right to speak and the hon. Member interrupted him? If at all there can be any question of privilege in this case, it will be the privilege of the Members to listen to His Excellency. Otherwise, there can be no question of privilege in this case. I say, under Article 194 (3), the privileges are not what the majority of the Members may think that they have. Privileges are given by the Constitution. They are not something which you can have by saying you have got a majority and you have got a privilege. On that ground, you cannot say that this is a breach of the privilege. Article 194 (3) specifically gives privileges in two ways. One is the existence of a law made for the purpose. Law does not mean a Resolution of this House. Law means a law passed by both the Houses to which the Governor has given his assent. Such a law will define what privileges this House has. I submit there is no law today defining the privileges of this House or of the Assembly. Another kind of privileges are those which actually exist as privileges in the House of Commons at the time of the commencement of the Constitution. I have searched all over 'May's Parliamentary Practice' and I do not yet find a single instance of Parliament having claimed any privilege of listening to the King's Speech. Therefore, if no such privilege has been claimed by the House of Commons, I do not understand where this privilege arises of either the King's right to deliver a speech or of the right of the Members to listen to the King's speech. As far as I can see, the only privilege which the Parliament in England has not only claimed but has exercised in relation to a monarch, is to behead a monarch. There is no other privilege in England in relation to a monarch that I can find in May's Parliamentary Practice. This question of privilege should not be used to soothe the wounded vanity of an oversensitive Governor or his nominated Chief Minister. This is a case where the hon. Member in question has exercised his fundamental right under Article 19 (1) of freedom of speech as well as under Article 194 (1) where it is sought to confer on a Member of either House of the Legislature entire freedom to say anything he likes in the House of which he is a Member. That is one of the privileges given to every hon. Member of this House. No doubt, Sir, I shall take you to the privileges under Article 194 (1). Of course, that privilege is not absolute. It is only subject to the Constitution and subject to the rules framed by the House in regard to the conduct of proceedings. Article 194 (1) of the Constitution says—

'Subject to the provisions of the Constitution and to the rules and standing orders regulating the procedure of the Legislature, there shall be freedom of speech in the Legislature of every State.'

So, at the time when the interruption took place, was it this House that was sitting? You cannot say for some purposes that this House is sitting as a House and for other purposes this House is not sitting and the thing has happened outside. We have to see whether it was or was not a sitting of this House. I take it that this House was sitting there. Is there any rule or

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regulation which restricts the freedom of speech of a Member under Article 194 (1) whereby you can say that the hon. Member in question has done anything wrong? What is the reason for saying that? He has exercised his privilege. It is the privilege of a Member to speak in a House when it is assembled and only if the presiding officer or somebody asks him to sit down in accordance with the rules, and the Member refuses to do so, one can say, if one prefers to do that, that the Member has interrupted. Otherwise, there can be no question of interruption when there is freedom of speech not only as a citizen but as a Member of the House in that particular House. Now, has the Governor who is not a Member of the House a privilege as a Member? Suppose the Governor and all of us are assembled and there is indecorous conduct. Can you say that it is a question of privilege?

"Now, the question is not if I have freedom of speech. If we were not sitting as a House at the time of the Joint Session, then, Sir, I say this has happened somewhere outside and there is no rule or regulation to say that I cannot speak or interrupt anybody. This is a point which has to be taken into consideration.

"Then, yesterday there was a lot of interruptions. Does it amount to a breach of privilege of this House? If that is the case, then every time there is an interruption, there is a breach of the privileges of this House. On a point of order anybody can rise and speak even according to the rules. I have got that right and if it was a House that was sitting there, then how can anybody say that a person cannot rise on a point of order and address the House? If it is a question of breach of privilege, neither you, Sir, nor the Mover of the Resolution then objected to this. It was not considered to be disorderly conduct. If it was, anybody could have risen to another point of order and said that there could be no speech at the time when the Governor's Address was going on. Nobody raised any objection then. This is purely an afterthought. This question of privilege is something which has been thought of afterwards and it is a deliberate action, because at that time nobody thought that one could be prevented under Article 194 (4) from having freedom of speech. I do not want to say much more on that point.

"The next point is this. There is also a question of procedure involved here. As was said yesterday, we should not act hastily in this matter. We, as hon. Members, must show some sense of responsibility before we say that we have got this privilege or that privilege. We cannot, merely for purposes of something which we do not like, say that such and such a thing has happened and that, therefore, we must take it as a matter of privilege. This is a case where there is a certain procedure to be adopted. On the question of breach of privilege, even if you take the British Parliamentary Practice, it has to be referred to a Committee of Privileges. It has to be enquired into. It is not an ordinary matter that a Member should be charged with having committed a breach of privilege. It is the right of the person



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who is now charged to adduce any evidence he likes, and that can only be done before a Committee of Privileges. That is the ordinary procedure and it is the ordinary right of a man to adduce evidence before he is found guilty of something. But the whole resolution runs like this : Here is the charge; here is the sentence, you pass it. This is a peculiar procedure which, I can never think, will be within the Constitution. As a matter of fact, though the punishment suggested does not involve imprisonment, there is nothing to prevent this House from saying, 'This is a thing which is punishable with imprisonment.' If that is so, we are not giving the hon. Member the right of adducing evidence to prove that what he has said is not wrong or that the facts stated in the resolution are not correct. We have not been given a copy of the speech. We have not been told what actually happened. All that is said is, the proceedings were interrupted. We are not told what the observations made were and what the reflections cast upon the conduct of the Governor were. Sir, we have no record to show how this is a breach of privilege. The Hon. Chief Minister too has not made the point clear. If there was an interruption in this House, what is the position? If a particular Member interrupts, you as Chairman, have got the right to ask him to sit down. If he refuses to sit down, you can ask him to withdraw. This is the first time I hear that if a Member interrupts another Member or even a non-Member, it should be considered as a grave act of breach of privilege.

12-15  
p.m.

" Now, I shall come to the merits of the case. We have to consider whether the Members of this House as well as the other House who had assembled to listen to the Governor's speech were prevented from doing so. It is very clear that nobody was prevented from hearing the Governor's speech. As a matter of fact, the Governor did proceed with his speech and there were debates also on his speech. If the Members had been prevented from hearing the Governor's Address, then there is some point and I can understand the application of Article 176 (1) of the Constitution which deals with the Governor's right to address both the Houses of Legislature. He has addressed both the Houses. To say now that there was disorderly conduct is to murder the word 'disorder'. What is orderliness and what is disorderliness? Nobody raised any objection then. If anybody, or for the matter of that, even if the Mover of this resolution had stood up and told Mr. Prakasam that he had no right to interrupt the Governor and therefore he must sit down, and in spite of this if Mr. Prakasam had continued with his point of order, then it may be considered as disorderly. Mr. Prakasam's conduct the other day was most orderly. He said what he had to say and quietly walked out. There was no question of any disorderly conduct.

" There is one phrase in this resolution which says, . . . 'in deliberate disregard of all constitutional proprieties' . . . What is the constitutional propriety which says that a Member should not speak at a joint session? There is no provision at all, either rule or law to support this statement. Surely, constitutional

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propriety cannot mean one thing for one person and another thing for another person. What is the meaning of the word 'propriety'? Who is to define it? It is not a question of the majority of the Members thinking that a particular act was constitutionally proper or improper. It is a question of law. The Constitution gives us the right to speak.

"Why has this resolution been brought before this House? Is it because that the breach of privilege has taken place only in this House? Is it not a breach of privilege of the other House as well? If it is really a breach of privilege of both the Houses, why then has this resolution been brought forward before this House alone? It is because, in the other House the Government do not have as comfortable a majority as they have in this House, which contains many nominated Members who have openly expressed their gratitude for their nomination to His Excellency the Governor. We must be careful in this matter. I for one cannot be a party to a motion which really claims something which is not a privilege issue at all. Nowhere is it stated that we must listen to the Governor's speech. What about the Members' right of not listening to the Governor's Address? If some of us say that we have a right not to listen, will it become a privilege issue? It is not a question as to what the majority of the Members think about this matter. The question is whether in fact there existed a privilege in the House of Commons or the House of Lords to listen to His Majesty the King's Address. I oppose this motion."

\* SRI T. G. KRISHNAMURTHI :—"Mr. Chairman, Sir, it has been pointed out by the Members of the Opposition that the procedure adopted by the Hon. Leader of the House in bringing forward this resolution is unprecedented in the history of the democratic Parliaments of the World. I wish to ask them this simple question. Has the action of Mr. Prakasam the other day in interrupting the speech of His Excellency the Governor got any precedent anywhere in the history of the democratic Parliaments of the World? No. If the Opposition Members want to set up healthy conventions, they must do so. What is sauce for the goose must be sauce for the gander. What is right for them must be right for us also. They unfortunately forget that a desperate disease requires a desperate remedy. Mr. Chairman, the point raised by the other side is very strange. Lawyers argue things in a peculiar way. The argument of the other side seems to be this. 'Why should the Chief Minister bring forward this motion before this House now? At the joint session of both the Houses of Legislature the Chief Minister was present. The Chairman of the Council and the Speaker of the Assembly were also present. When Mr. Prakasam interrupted the speech of His Excellency the Governor and himself made a speech, neither the Chairman, nor the Speaker, nor anybody prevented Mr. Prakasam from doing so. Why should the Chief Minister bring forward this motion now?' They seem to maintain that all actions that are not prevented are legal. It is a strange argument indeed to come from a lawyer of Mr. Prakasam's standing.



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“ Sir, I was happy to note one most welcome and redeeming feature in Mr. Prakasam's speech this morning. In the midst of the hymn of hate he has been singing outside as well as on the floor of this House, he at least acknowledged Mahatma Gandhi to be a great man. I was immensely pleased at that. At the same time, Mr. Prakasam feels sorry that the K.L.P. Members who came out of his belly have turned against him. I would like to ask, ‘Wherefrom did Mr. Prakasam come?’ He jumped out of the belly of that great organization, namely, the Indian National Congress, and he has turned against that organization now. We know adversity finds strange bed-fellows. I may say that no one in adversity has ever found stranger bed-fellows than Mr. Prakasam in the Communists. In this connexion, I would very much like to refer to the policy adopted by Mr. Prakasam when he was in office, with respect to the Communists. Due to the policy adopted by him at the time of the railway strike in Tiruchirappalli, we had to lose a few seats in that place to the Communists. At that time, I and Mr. Kosalram went to Mr. Prakasam and told him, ‘Look here, Mr. Chief Minister. The railway workers say that their grievances are very simple and they can be easily redressed. So, please consider their case sympathetically and try to redress their grievances in a peaceful manner.’ Do you know what reply Mr. Prakasam gave us? He said, ‘You people do not know anything. Drastic action must be taken against them. Then only things will be all right.’ That was his reply. He did take drastic action against those poor workers with the result that we lost a few seats in the recent elections to the Communists. When today I find that the same Mr. Prakasam who took very drastic action against the Communists at that time, has entered into an alliance with the Communists, I am reminded of a story that I was told when I was reading in the elementary school. A frog and a rat once met together and decided to be chums. They wanted to be very close to each other. With this idea in view, they tied their legs together and were roaming about in this manner for some time. One day when they were going like this, the frog came across a tank which was full of water and it suddenly jumped into that tank. The poor rat could not disentangle itself from the frog and so was drowned in the tank and died in the end. I do not know when Mr. Prakasam's allies, the Communists will jump into the ocean of unlawful activities along with Mr. Prakasam and when we must go to his rescue and save him from sharing the same fate as the rat, by relieving him of his association with the Communists. (Laughter.)

“ Mr. Chairman, much has been said against this resolution. Hon. Member Mr. Gurunandan Row seems to maintain, ‘Oh! the rules provide for interruptions. We can interrupt any speech at any time. We can very well interrupt the Governor also while he is addressing us. After all, who is the Governor? What is his *locus standi*?’ In that strain, he goes on arguing. In support of his argument, he quotes British Parliamentary precedents. He forgets at the same time to note that Britain has no written Constitution as we have. The British tradition itself is built up on

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healthy conventions set up by the members belonging to the Government side and also the members of the Opposition. Nobody there has ever taken it into his head and walked out of the Parliament when His Majesty the King was addressing. Here, we find that Mr. Prakasam walked out of the House. This is a strange procedure and this is the first time when we hear of such a procedure being adopted anywhere. It is argued that every member has privilege and freedom to raise a point of order at any time he pleases. When I hear such an argument, I am reminded of a story. Once an American went to England. One evening, he was walking along the streets of London waving his stick backwards and forwards. His stick hit the nose of a man who was coming behind. That man preferred a complaint against this American before a Magistrate. The Magistrate called the American and asked him why he was waving his stick like that and hit the nose of the complainant. The American replied, 'Your Honour, I was told that yours is a free country and so I thought I had freedom to wave my stick as I pleased.' The Magistrate replied, 'My dear Sir, you are no doubt in a free country and you have freedom. But the freedom of your stick ends where the nose of the other man begins.' (Laughter.) I would like to remind the Members of the Opposition that their freedom ends where our privileges begin. Our privilege here is to establish healthy conventions. The Members of the Legislature must be allowed to hear the speech of His Excellency the Governor without any interruption. That is the privilege of the Members and nobody should be allowed to interfere with this privilege. I am amused at the argument that everybody has a right to interrupt His Excellency's speech.

"Mr. Chairman, we have heard another strange argument. It is said that even granting that it was wrong for Mr. Prakasam to have interrupted the Governor, he is a senior member of the House and therefore he deserves consideration. I grant it. Mr. Prakasam is a veteran statesman and there was a time when I too looked upon him as my Gurn. We all know Mahabharatha. Bhishma was on the side of the Kauravas and Arjuna had to kill him. He was held in reverence both by the Kauravas and the Pandavas. But, as he was espousing a wrong cause, he had to be eliminated to establish law and order and *dharma*. So, nothing is unfair in love and war.

"One thing I wish to make clear. Everyone should understand that this resolution moved by our esteemed leader, Rajaji, is not an act of vendetta and it is not an attempt to be vindictive against anybody. It is an attempt to establish healthy conventions in the House that will be followed as precedents by future generations. From the speeches of the hon. Members of the Opposition I am inclined to think that they too are very much interested in establishing very healthy conventions in our House. With these words, I most heartily support the resolution moved by the Hon. Chief Minister."



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MR. CHAIRMAN :—“ As there are a fairly large number of speakers, I fix 15 minutes for each member.”

\* SRI A. SUBRAMANYAM :—“ கனம் தலைவர் அவர்களே, சென்ற 12-30  
மேய் 6-இரு சபைகளும் கூடினபோதும் அங்கு கவர்னர் விஜயம் செய்த ப.ம.  
போதும் ஸ்ரீ பிரகாசம் அவர்கள் நடத்திய நடவடிக்கைகளைக் குறித்து கனம்  
பிரதம மந்திரி அவர்கள் கண்டிக்கும் தோரணையில் கொண்டு வந்த  
பிரேரணை நான் ஆதரிக்கும் தோரணையில் சில வார்த்தைகளைக் கூற  
விரும்புகிறேன்.

“ கனம் தலைவர் அவர்களே, பேசுவதற்கு எல்லோருக்கும் உரிமை உண்டு. அரசியல் சட்டம் 194-வது பிரிவின் பிரகாரம் எல்லோருக்கும் பேசுவதற்கு உரிமை உண்டு. இப்பொழுது பள்ளிக்கூடத்தில் உபாத்தியாயர் ஒரு மகனுக்கு கணக்கு சொல்லி கொடுக்கிறார் என்று வைத்துக் கொள்வோம். அதாவது கூட்டல் கணக்கு. 4-ம் 4-ம் எட்டு, அதாவது இந்த கூட்டலுக்கு விடை 8. 4-ம் 4-ம் என்றால் அது கூட்டல் தான். அந்த விடையைக் கொடுத்தால் சரி. ஆனால் 4-ம் 4-ம் 7 என்று விடையைக் கொடுத்தால் அது தவறுதலானது. கூட்டல் படி இரண்டும் சரிதான். அதேபோன்று 194-வது பிரிவுபடி எல்லோருக்கும் பேச்சு உரிமை உண்டு என்பது நியாயமானது தான். ஆனால் இப்பொழுது அந்த உரிமையில் தவறு ஏற்பட்டு விட்டது. பேசின பேசிலும் தவறு இருக்கிறது. நடந்த நடவடிக்கையிலும் தவறு இருக்கிறது. அவைகள் ஆட்சேபிக்கக் கூடியதாக இருக்கிறது. இப்பொழுது சபையில் பேசியதிலும் குறிப்பாக சில தவறுகள் இருக்கின்றன. நல்ல வார்த்தைகளைப் பேசுவதிலும் உரிமை இருக்கிறது. கெட்ட வார்த்தைகளைப் பேசுவதிலும் உரிமை இருக்கிறது. ஆனால் பேசும் தோரணையில் இருக்கிறது தவறுதல்கள். ஒருவேளை பச்செவன்று சொன்னால் சரியாகப் போய் விடுகிறது. ஆனால் எருமை என்று சொன்னால் அவனுடைய மனது வேதனைப்படுகிறது. அதனால் ரொம்பவும் கஷ்டப்படுகிறான். அது போன்று ஸ்ரீமான் பிரகாசம் அவர்கள் சட்ட சபையில் சொன்ன பேச்சு உரிமையும், நடந்து கொண்ட நடவடிக்கையும் முன் சொன்னதைப் போல் அதற்கு ஒத்திருக்கிறது. அவர் பேசிய பேச்சு சரி தான். ஆனால் நடந்துகொண்ட நடவடிக்கைகள் சரியல்ல. ஆகையால் தான் அவரைக் கண்டிக்க வேண்டியது நியாயமாக இருக்கிறது என்பதை நான் இந்த சந்தர்ப்பத்தில் தெரிவித்துக்கொள்ள ஆசைப்படுகிறேன்.

“ மற்றொன்று ஒரு முக்கியமான விஷயம். கனம் அங்கத்தினர் ஸ்ரீ எஸ். பி. ஆதித்தன் அவர்கள் பேசும் போது 10 ஏக்கர் நிலம் பெற்றுக் கொண்ட தியாகிகளைப்பற்றி பேசினார். அவர்களுக்கு லஞ்சம் கொடுக்கப்பட்டது என்றும் அவ்விதம் பத்தாயிரம் தியாகிகளுக்கு லஞ்சம் வழங்கப்பட்டது என்றும் ஒரு அபாண்டமான ஒரு புளுகை இந்த சபையில் சொன்னார். அவ்வித புளுகையும் இந்த சென்னை மாகாண அரசாங்கத்தினிடம் புகாத்தி இருக்கிறார். அவர் இம்மாதிரி பேசுவார் என்று நான் எதிர் பார்க்கவில்லை. எப்பொழுதும் எதிர் பார்த்ததும் கிடையாது. அரசாங்க ராணுவத்தில் வேலை பார்ப்பதும் சிப்பாய்களை தேச பாதுகாப்புக்காக வைக்கப்பட்டிருக்கின்றன. அவ்விதம் ஒவ்வொரு தேசத்திலும் வைக்கப்பட்டிருக்கிறது. ஆனால் சண்டை முடிந்தவுடன் எப்பொழுதும் போல் சேவை செய்கிறவர்களுக்கு மாத ஊதியம் கொடுக்கப்படுகிறது. சர்வீஸ் முடிவடைந்த பிறகு இன்னும் பென்ஷன் கூட கொடுக்கப்படுகிறது. மற்றும் அவர்களுடைய பிள்ளைகளும் மற்ற வசதிகளையும் செய்து கொடுக்கப்படுகின்றன. இன்னும் எதிர்காலத்திற்கு வேண்டுமென்று அவர்களுக்கு புறம்போக்கு நிலங்களும் அளிக்கப்படுகின்றன. ஆனால் இந்திய நாட்டின் சுதந்தரத்திற்காக பாடுபட்ட தியாகிகளுக்கும், படிதாண்டா நாரீமணிகளுக்கும், பால் மணம் மாறாத பாலர்களுக்கும், வயதான விருத்தாப்பியர்களுக்கும் அவர்கள் சிறை சென்றதாகவும் தடியடி பட்டதற்காகவும் யாதொரு பிரதி பிரயோசனத்தையும் எதிர் பார்க்காமல் இருந்ததற்காகவும் அவர்களுக்கு நிலம் கொடுப்பது என்றால் அது லஞ்சம் கொடுப்பது ஆகுமா? தேச விடுதலைக்காக எவ்வளவோ பேர்கள் தூக்கு மேடைக்கு சென்றிருக்கிறார்கள். அவர்களுக்கு

[Sri A. Subramanyam]

[14th May 1952]

நிலங்கள் கொடுங்கள் என்று காங்கிரஸ்காரர்களும் கேட்கவில்லை, பெரிய தலைவர்களும் கூறவில்லை, தியாகிகளும் கேட்கவில்லை, அவர்களும் யாதொருபிரதி பிரயோசனமும் எதிர்பார்க்கவில்லை. அவர்கள் தேசத்திற்கு உழைத்தார்கள் என்று அவர்களுக்கு கொடுக்கப்பட்டது. அவர்களால் தான் சுதந்திரம் கிடைத்தது. அவர்களுடைய சேவையின் பேரால் நாம் சுதந்திரம் அடைந்தோம். அதுவும் நான்கு ஆண்டுகளுக்கு மேலாகிறது, அவர்களுடைய தியாகத்தின் அஸ்திவாரத்தின் பேரில் கட்டப்பட்ட ஆட்சியில் இந்த சட்டசபை அமையப்பட்டிருக்கிறது. இந்த நிலைமையில் யாதொரு பிரத பிரயோசனத்தையும் எதிர்பார்க்காத தியாகிகளுக்கு சொற்ப ஏக்கர் நிலங்கள் வழங்கப்பட்டிருக்கிறது. இது நில லஞ்சம் கொடுக்கப்பட்டது என்று கருதுவதா? கனம் ஆதித்தன் அவர்கள் கூறியதைக் கண்டிக்க வேண்டும். அதை நான் வெறுக்கவேண்டியதாக இருக்கிறது என்பதை தெரிவித்துக் கொள்கிறேன்.

“கனம் பிரதம மந்திரி அவர்கள், இப்பொழுது தியாகிகளுக்கு நிலம் கொடுப்பதை நிறுத்தி விட்டோம், என்று கூறினார்கள். அவர் சொன்னதை சிலர் புரிந்து கொள்ளவில்லை. தியாகிகளுக்கும் நிலம் வழங்குவதில் சில காங்கிரஸ்காரர்களும் அரசாங்க சிப்பந்திகளும் சில தவறுகள் செய்திருப்பதால் அதை நிறுத்தும்படி அவர் சொல்லுகிறார். நிலம் கொடுப்பதில் சில தவறுகள் நடக்கின்றன. அதாவது ஏராளமான நிலம் வைத்துக் கொண்டிருக்கிறவர்களுக்கு அதிகமாக தியாகி நிலம் வழங்கப்பட்டிருக்கிறது. அதுவும் ஏழைகளிடத்திலிருந்தும் ஹரிஜனங்களிடத்திலிருந்தும் நிலங்களை வாங்கி கொடுக்கப்பட்டிருக்கிறது. தியாகம் செய்யாதவர்களுக்கும் நிலம் வழங்கப்பட்டிருக்கிறது. அப்படிப் பெற்றுக் கொண்டவர்கள் திருப்பிக் கொடுத்து விடுவது நல்லது என்று கனம் ராஜாஜி கூறியிருக்கிறார்.”

**THE HON. SRI C. RAJAGOPALACHARI:**—“இந்த விஷயம் இதற்கு முன்னால் நடந்த பேச்சு. இந்த motion-ன் பேரில் அந்த பேச்சு கிடையாது. அதற்கு இவ்வளவு தூரம் பேச வேண்டியதும் அவசியம் இல்லை.”

**\*SRI A. SUBRAMANYAM:**—“பேச்சு உரிமை என்ற முறையில் சிலர் தவறுகள் செய்கிறார்கள் என்பதைச் சொல்லிக் கொள்ள விரும்புகிறேன். அதை சமயம் எதைப் பேசினாலும் சரியாகும் என்று சொல்லுகிறார்கள். கனம் பிரகாசம் அவர்கள் அன்று நடந்து கொண்ட நடவடிக்கையை நான் பலமாக எதிர்க்கிறேன். அது முற்றிலும் ஜனநாயகத்திற்கு விரோதமானது. ஆகவே கனம் பிரதம மந்திரி அவர்கள் கொண்டுவந்த இந்த தீர்மானத்தை நான் முழுமனதுடன் ஆதரிக்கிறேன்.”

**SRI V. CHAKKARAI CHETTY:**—“Mr. Chairman, Sir, my hon. Friend, Mr. V. Gurunadhan Rao, has practically smashed the illegal and unconstitutional position taken up by the Hon. the Leader of the House. It is an unfortunate thing that we are called upon to decide legal and constitutional issues here. If I could have my own way, I would certainly advise my hon. Friend, Mr. Prakasam, with due deference to you, Sir, to take up this matter before the High Court of Judicature and get a ruling as to whether this House is competent to go into this question or not. But I will not go into all the legal arguments that have been put forward to which no adequate answer has yet been given and I know no adequate reply is possible. Let me put forward my views as concisely as I can. In the first place, as has been pointed out already, this resolution is absolutely meaningless. It is a mere piece of verbiage ‘privileges,’ ‘constitutional propriety’ and what not. What are these privileges? What is the constitutional propriety? Are we looking into any book of law? Are they well-known to Members of this House? Have they been embodied in



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the rules and regulations governing the conduct of the Members of this House? Or are we going to give up our conscience and act in such a way as to suit the political exigencies existing now and the political warfare that is being carried on? It has been said by the Leader of the House that he is free from all prejudices, hatred and contempt. I wish I could say so emphatically. But unfortunately, human nature being what it is, I do not believe, either on the one side or the other, people are free from these. But I can say this much. At least the people—common people—are free from political partisanship and passion.

“ Now, Sir, what is the position of the Governor, to whom discourtesy is supposed to have been shown? The Governor, according to the Constitution, is appointed by the President of the Indian Republic. We all know that the President of the Indian Union was recently elected. He is not a President by divine right as the Kings of England were supposed to be from the early times to the time of the ill-fated Charles I and his successor later on, James II, who was driven away from England. The Governor holds his appointment during the pleasure of the President. The President himself is not an irremovable fixture. He can be removed from office by following the procedure laid down in Article 61 of the Constitution. Therefore, the Governor is not like the Governor of the olden days, surrounded by a halo of sanctity and holding his office because he is appointed by some kind of document emanating from the King. Now, according to the Constitution, the Governor has no privileges. One of the Articles in the Constitution says that he will be entitled to certain salary and emoluments, free house, etc., and will enjoy privileges that are defined by law. Therefore, it cannot be said that we broke or my Friend, Mr. Prakasam, broke any of the privileges enjoyed by the Governor. Well, then, Sir, what is the position? The Governor came there to make a speech. As has been very well pointed out by certain hon. Members, nobody is obliged to listen to his speech. It is said in the Article relating to the Address—we can understand it if we read it properly—that the Governor shall address the session. It is an obligation cast upon him. But there is no obligation cast upon Members to listen to the Governor. The Members may sit there and plug their ears with cotton wool. We are not obliged to listen to the Governor. It is an obligation cast upon the Governor to make the speech and there is no obligation on my part to listen to his speech. He shall inform the Houses about the policy to be pursued by his Government but whether I am prepared to listen to it or accept it is a different matter. Therefore, it seems to me wrong to bring in such a motion. My Friends here spoke about establishing conventions. Sir, we cannot establish a convention by means of an invention of this nature. The Leader of the House wants, to set up a convention by the contrivance, or device or invention of this motion. It is not possible to establish a convention on these lines. Conventions must grow from the necessities of the case. There must be law to condemn a Member. A mere majority in this

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House cannot take upon itself the duty of setting up a convention merely for the purpose of saying that a certain Member violated the privileges of the House.

“ Then, Sir, the Leader of the House referred to the ‘ walk-out ’. Walk-out has become the commonest thing in India to-day. People have walked out in various Assemblies. The Congress and the Congress members in the old days—in the days of the Home Rule movement led by Lokamanya Tilak—staged walk-outs. Lokamanya Tilak was present, Sir, at a meeting convened by the Governor. A large number of people including the Princes of India were present there. Mr. Tilak with his characteristic courage—a courage that our friend Mr. Prakasam has probably inherited from him from those days, got up, protested and walked out. People thought in those days that there was nothing wrong in protesting against the advice of the Governor to mobilise the resources of India for carrying on the first World War.

12-45  
P.M. “ Sir, I wish to say one thing more. Suppose we pass this resolution. You must remember this thing. It may be satisfactory to you. It may satisfy the helpless anger of the Leader of the House and other members here because Mr. Prakasam has been leading a campaign for the downfall of this Ministry. But if we are trying to establish a convention, let me say this. I am not pleading for Mr. Prakasam because he is an old man. He can defend himself for what he has done. He is called the Lion of Andhra by his own people and by a majority of the people of the country at large. He deserves that title. He has the backing of the people of the Andhra country and a considerable section of the people of Tamilnad too. We may pass this resolution. But it will be a farce of a resolution passed by this House. Whereas my friend will go back to the Andhra Desa and he will be received by thousands and thousands of people and what he did on that memorable day of the 6th of May 1952 will be approved and our resolution will become an object of ridicule. I do not want that this Honourable House should expose itself to the reproach and ridicule of the vast masses of our countrymen and therefore my friend Mr. Adityan has brought forward his amendment. We do not know the procedure; we do not know whose privileges have been broken and how we are to proceed and we cannot establish a convention without going into all the circumstances attending that event. Unless a Committee is appointed and it goes into all these matters and brings forward rules and regulations which may guide the future conduct of the Members of the House, I do not believe that we will be well advised in passing this resolution. By passing this resolution, I do not think we will be making anybody feel that Mr. Prakasam has done anything wrong; on the other hand the people of the Andhra country and a considerable section of the people of Tamilnad with whom I am connected, i.e., those who have been following us and have elected many of us to the Assembly and the Council, will certainly not approve of this resolution or any censure that we may pass upon Mr. Prakasam, the leader of the United Democratic Front. Sir, I thank you for



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giving me this opportunity to speak and hope that the Hon. the Leader of the House and the other Members will bear in mind what I said last."

\* JANAB MAHOMED USMAN :—" Mr. Chairman, Sir, I am glad that this resolution has been brought before the House by the Hon. the Chief Minister. The issue is very simple. Nobody can deny that on the 6th of May 1952, my hon. Friend Mr. Prakasam did an undignified thing when His Excellency the Governor came to the Joint Session of the Legislature to perform a constitutional duty. It was his privilege to address and it was the privilege of Mr. Prakasam that he should hear. Instead of that, he made an interruption. He insulted not only His Excellency the Governor, but he insulted the Hon. the Chief Minister also. In our Assembly consisting of gentlemen we should have gentlemanly manners. We in our House address the Chief Minister as, 'the Hon. the Chief Minister', or as 'my Hon. Friend the Chief Minister.' No one can address him as 'this man' as my friend Mr. Prakasam has done. It is no doubt an insult to the House. It is an insult to people who have got any sense of decorum. Then, after having performed this undignified act, Mr. Prakasam and his followers left the Hall raising slogans. I ask whether this is an undignified act or not. In order that such things may be prevented in future, I am glad that the Hon. the Chief Minister has taken this correct step for preserving the dignity of both the Houses.

" Sir, I am glad that my friend Mr. Adityan in giving notice of his amendment has practically admitted that a deliberate act in disregard of all constitutional proprieties has been done by Mr. Prakasam, because he has not touched the first paragraph of the resolution. His amendment relates to paragraphs 2 and 3 only. Paragraph 1 of the resolution reads—

... the hon. Member Sri T. Prakasam in deliberate disregard of all constitutional proprieties, rose and interrupted the proceedings by delivering a speech questioning the competence of His Excellency to address the Houses ...

So, Sir, according to Mr. Adityan, Mr. Prakasam is guilty of having acted in deliberate disregard of all constitutional proprieties. If that is admitted, then the matter is very simple. We can logically come to the conclusion as stated in the second paragraph, '... that there was an indecorous and disorderly conduct'. One cannot help coming to the conclusion that, having deliberately disregarded the constitutional proprieties, my friend Mr. Prakasam has committed an act of indecorum and disorderly conduct. We can therefore take action as suggested in the Resolution without reference to any committee. I think a strong case has been made out and we should pass the resolution that has been given notice of by the Hon. the Chief Minister."

\* SRI P. N. MARTHANDAM PILLAI :—" Mr. Chairman, Sir, on the 6th of May 1952, the hon. Member Mr. Prakasam acted in a manner which is against all rules of etiquette and gentlemanliness. I know he is a gentleman worthy of respect and

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reverence from most of us. He has sacrificed a lot for the cause for which he stood, but that does not empower him to go in wherever he wants and shout whatever he wants. Sir, we were assembled there to hear His Excellency. Instead of doing that, he made a speech and walked out. He disturbed the meeting; he disturbed the peace of the House and disturbed everyone's calmness. I thought Mr. Prakasam would now get up and say, 'I am sorry for what I have done and it will not be repeated again'. Then, the matter would have ended to the satisfaction of all. Instead of that, to justify his conduct and to say, 'We have the privilege of speaking whatever we want and wherever we want' is not a proper defence. Sir, if everyone speaks out his grievances when the Governor comes to address, what will be the position of the Governor? What will be the position of the House and of the country? It is clear that rules ought to be followed, however great the Opposition Leader may be and it was improper on his part to have done what he did on that occasion.

"Sir, I have one more word to say. He advised the Members who are nominated to act in a particular manner. I am very sorry that Members of this House talk of the nominated Members in a light-hearted manner as though they have come by the back door. I want to tell you and the Members, Sir, that the Constitution provides for a mass election and a group election and a number of people, 15 or 12, electing one, and election or selection by the Governor. And I do not see any objection in the Government nominating a gentleman for the purpose. It is true, Sir, that Members have been elected in the general elections at the rate of one for every 75,000 people. Is there any superiority in the gentleman who represents these 75,000 people over the gentleman or the lady who is nominated by His Excellency the Governor or the Hon. the Chief Minister or the whole Cabinet? Is the Cabinet inferior to the masses? Is the Chief Minister inferior? Or is the Governor inferior? Sir, it is a wrong conception of the matter and I wish our hon. Friends do not indulge in such cheap criticisms. Regarding the duty of the nominated Members, I may say, Sir, we have our conscience and it is not for any one Member to dictate to another Member what he must do. Whichever way our conscience dictates, we will follow. Mr. Prakasam may be the Chief Minister tomorrow and another Member the next day. But, to express our gratitude in this House or elsewhere is nothing wrong. Sir, on behalf of all the hon. Members who have been nominated, I express our gratitude at this very moment again, here and now, to the Government and the Hon. the Chief Minister for nominating us, and as to how we would act, Members may please wait and see."

SRI M. P. GOVINDA MENON :—"Mr. Chairman, Sir, with very great respect to the Leader of the House, the Hon. the Chief Minister, I am constrained to remark that this resolution is not an ordinary resolution and is not heard of till now in any legislature. It has been conceived in hatred, and it has been nursed in hatred; and it has been pursued in a spirit of vindictiveness. The other



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day we had the noble example of no less a person than the great Prime Minister of India saying how the party in power must treat the Opposition. That great soul said, 'We must not hate the Opposition and treat the Opposition like enemies. We must convert the Opposition to our side and for converting the Opposition, we must convert ourselves.' Mr. Chairman, look at that picture and look at this picture. Sir, the Hon. the Leader of the House has got another method of treating the Opposition. In another place he said, that he treated a particular party in the Opposition as his enemy No. 1. May I ask, Mr. Chairman, with great respect to the Hon. the Leader of the House: Is it not a declaration of war on the millions of people who rightly or wrongly voted for this particular party? I can understand the Leader of the House trying to persuade the people by telling them, 'You made a mistake. Those people whom you have voted for do not deserve your confidence. So, reject those people.' Instead of that, he declares war on that particular party. It is a war not only on the party, but on the millions of people as well who have rightly or wrongly voted for that party. Now, Sir, in this House another war is declared against a veteran of our country. I thought good sense would prevail. The Leader of the House knows what is good and what is not good for this country. My humble opinion is that this is not the way of treating the Opposition. Here is a person who is revered and respected by millions of people of this country for his past sacrifices and for his noble stand on behalf of the people, and he and the Leader of the House have been colleagues and brothers in arms. The motion before the House is called a privilege motion. But, with great respect to the Leader of the House, I beg to say that he is out to crush the Opposition.

"Of course, Sir, he had been telling my hon. Friend Mr. Rajeswara Rao the other day that in a Communist country, no opposition would be allowed. I know it. I do not like to be ruled by a Communist Party. I do not like to be in a Communist country because in a democracy we can function as an opposition party. I think the great Rajaji would welcome opposition even though his administration may be ideal and good. He must certainly welcome opposition so that the opposition may serve as a corrective and the Hon. Chief Minister may have an opportunity of knowing what the other people have to say about his administration. So, rightly he said that in a Communist country no opposition would be allowed. But the Hon. Chief Minister is following the same methods followed by the Communist Party to crush the Opposition by treating the Opposition Party as Public Enemy Number One and discrediting the Leader of the Opposition Party. Perhaps in a subtle way or in his own usual clever way he wants to crush the Opposition. What is the difference between the methods adopted by the Communist leaders of totalitarian countries and the methods adopted by the Hon. Chief Minister in dealing with the Opposition. With all respect, I request him to reconsider the position he has taken up with regard to the whole matter.

1 p.m.

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“ Now, coming to the merits of the motion, what happened on the 6th May, the Hon. the Chief Minister was pleased to state before the House. He said that he did not take objection to the walk-out. On another occasion he said that staging demonstrations was one of the constitutional and legitimate methods in vogue in political life. He also said that he did not take objection to the speech made by Sri Prakasam. The whole charge against Sri Prakasam, according to him, was that he stood up before His Excellency the Governor and interrupted his speech. Sir, my hon. Friend Sri Prakasam and those who follow him wanted to stage a walk-out by way of protest against some action of His Excellency and make him understand and realize that there was another side to the picture, and that in nominating Mr. Rajagopalachari on the eve of his election as the Congress Party leader, he had acted unconstitutionally. What we have done may be wrong but it is a matter purely for the constitutional pundits to decide. We have made our position clear by staging that walk-out. Before staging the walk-out, Sri Prakasam had to say something to His Excellency the Governor, for otherwise will he not be accused of showing discourtesy to the Governor? I ask, is it courteous on the part of anyone to stage a walk-out without making a speech? So Sri Prakasam had to make a speech explaining the position of our party in relation to the Governor's action in calling the Congress Party to form the Government, and giving the reasons for not listening to his speech. Is there anything wrong? It is the most constitutional and courteous thing to be done by any person. Who is the person to decide whether it was courteous or discourteous? You were there and the Hon. Speaker was also there. According to the rules, both the Chairman and the Speaker have no right to control the deliberations of both the Houses when they meet together in a joint session. His Excellency the Governor is the only person to decide the issue. What did he do? The whole thing I have pictured in my mind. When His Excellency entered the House we all stood up. When he sat down we also sat down. Immediately Sri Prakasam stood up. Without noticing that Sri Prakasam stood up, His Excellency the Governor began to speak. Then Mr. Prakasam said, ‘ On a point of order, Your Excellency ’. Immediately the Governor sat down and allowed Sri Prakasam to proceed with his speech. Here is the verdict given by His Excellency the Governor. He was the only person entitled to control that House at that time. He had accepted the position taken up by Sri Prakasam at that time. There is nothing discourteous in this action of Sri Prakasam nor is there any disregard of constitutional propriety or decorum. His speech was listened to without any murmur or any syllable of protest. Are we sitting in judgment over His Excellency's action as if we are an Appellate Court? His Excellency accepted the position taken up by Sri Prakasam with good grace. Why do you want to raise that issue again here. With all respect to the Hon. Leader of the House, I request him to consider whether this is the method of dealing with the Opposition. With these few words, I oppose the motion moved by the Hon. Leader of the House.”



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\* SRI V. BASHYAM AYYANGAR :—“ Mr. Chairman, Sir, I wish the House has a clear understanding of what it has to do at present. The House is called upon to give its opinion on the motion moved by the Hon. Leader of the House. The question is really very simple. On the 6th of May both the Houses of the Legislature had been summoned and invited by the Governor to hear his speech. The right of the Governor or—one may say—the duty of the Governor to address the Legislature is laid down in Article 176 of the Constitution. It says—

‘At the commencement of every session, the Governor shall address the Legislative Assembly or in the case of a State having a Legislative Council, both Houses assembled together and inform the Legislature of the causes of its summons.’

So, the members of both Houses of the Legislature were meeting on that day to hear the Governor. It was not a meeting of the Council. It was not a meeting of the Assembly. It was a meeting of the Members of both the Houses. Therefore, it was a special meeting. Ordinary rules of procedure which apply in the case of meetings of the Council or the Assembly do not apply to that meeting. Therefore, my submission is that no member is entitled to raise any point of order on that occasion. Now, the interruption which the hon. Member Sri Prakasam made on that day, is sought to be justified on the ground that it was raised on a point of order. What I beg to submit to the House is that no point of order is allowed at such a gathering because there is no single authority who can give a ruling on a point of order. So the excuse or the pretence that has been put forward that the hon. Member rose on a point of order is completely untenable and the hon. Member was not entitled to speak on a point of order by interrupting the Governor's speech. All the members of both Houses of the Legislature had the right and privilege to be there, to hear His Excellency's speech and then disperse. That is the purpose of that meeting. If there was any point on which the Members wanted to have their say, rules provide as to how that right has to be exercised. Article 176 (2) of the Constitution itself says—

“ Provision shall be made by the rules regulating the procedure of the House or either House for the allotment of time for discussion of the matters referred or in such address. . . . ”

The rules of procedure framed for this House under Article 208 (2) provide for the exercise of that right as regards the Governor's Address. Rules 4, 5 and 6 of the Council Rules also do not provide for any point of order being raised on that day. Therefore, the House is entitled to say that an affront and an act of disorder had taken place which this House has to take notice of. The point as to where this question should be raised has already been answered. It could not have been raised in the joint sitting because it was a temporary meeting. It could be raised only in this House because the concerned Member is a Member of this House. Therefore, we are perfectly at liberty to express our opinion as to the propriety of the action taken by the hon. Member.

[Sri V. Bashyam Ayyangar] [14th May 1952]

“ Only one point more I would mention, and that is as regards the observation that has been made about the nominated Members. The hon. Members are aware that there are Members in this House who tried for a seat in the Assembly but failed and even lost their deposits but still they were put up for this House. It must be said to the credit of the Congress that they did not put up any such members to this House. It is not for members who were defeated in the elections to the Assembly to dictate to the members who have been nominated to this House. As a matter of fact some of them who have been nominated to the Council wished to be excused from undertaking that duty but the Government wanted them. It was thought that their knowledge and prestige would be of service to the people if they were members of this House. They have accepted the nomination as a matter of public duty and not for any selfish end. It is not as if they are anxious to come and spend their time here. Therefore, it is not open to any member to make cheap jibes at or offer gratuitous advice to the nominated members. As regards their duty and right to vote on a particular occasion, they themselves know it. My hon. Friend Mr. Marthandam Pillai has already replied on that point. They have their own conscience and they will act according to it on any subject. They are not bound to vote with this party or that party. They will vote for the side with which they agree on the point in issue. There need be absolutely no doubt about it. I hope nothing more will be heard in this House about the position of the nominated Members or their right to take part in the deliberations of this House. With these words, Sir, I support the motion.”

1-15  
p.m.

\* SRI B. V. SUBRAHMANYAM :—“ Mr. Chairman, Sir, I rise as a Member representing the Socialist Party on the floor of this House to oppose the motion so briefly and therefore so ably moved by the Hon. the Leader of the House, regarding the alleged breach of privilege that occurred at the joint assemblage of the two Houses of the Legislature on the 6th of May. I may state at once that the party to which I have the honour to belong did not on that occasion think it fit, and does not even on this occasion think it proper, that anybody should have walked out of that joint assemblage to mark his protest in the manner in which the protest was made. But, this does not mean that I am, or the party to which I have the honour to belong is, with the Leader of the House and with the party that he leads in the matter of the motion before this House. It was a great Frenchman who said to one of his deadliest enemies, ‘ I thoroughly disagree with your opinions, but I shall give my life to save your right to express them.’ It is in that spirit that I rise before this House to place before it certain aspects of what might be called the perpetuated hatred which during the last few months or weeks is trying to make of this House an arena for itself. It seems to me, Sir, that the House is proceeding on absolutely wrong lines, whoever might have started it so, in considering only the rights or privileges of the Governor on the one hand and of the House as a whole on



14th May 1952] [Sri B. V. Subrahmanyam]

the other hand, without at the same time considering the much more important thing that has been enshrined in our Constitution, on which the whole fabric of the Constitution rests. viz., the freedom of speech of the individual. Article 194 of the Constitution which deals with the privileges of this House—if I may make bold to state to persons who might not have read it with the care that it demands—states that this Article itself is based on the pre-condition that it shall not be misused, or misquoted against the liberty of speech which each individual has in this country, and which he can effectuate not merely on the floor of this House, not merely in the streets of this country, but in Courts of Law,—in the High Courts of Judicature and in the Supreme Court—where he can move for the right of speech being given full effect to. It is not properly understood, Sir, that this is not a matter on which so light an attitude can be taken as merely to think that, if 55 people on one side vote against 17 on the other side, the freedom of the individual to speak as he likes on the floor of this House or on the floor of any other joint assemblage of Houses is lost. It is not the majority of a few persons that can make or unmake this freedom of speech. The Constitution protects it; the Constitution enshrines this deity, and it is the God to which the whole Constitution turns. If we turn away from it, we turn away from our basic rights in this country. I say this, Sir, in order to start studying the events of the 6th of May from a particular angle which I, in my own dispassionate view of the matter, wish to place before this House. What happened on the 6th of May? There was a walk-out. That was the most prominent thing, the most important thing that happened on that day. Are we to-day to state here that persons, who are assembled as a joint assemblage of the Houses of the Legislature before the Governor have no right either as a whole or in part to walk out, even if they have a right to protest? I submit that this resolution itself which is confined to Mr. Prakasam and does not touch everyone else who walked out on that day, makes a distinction between the offence or alleged offence which might have been thought to have been committed by the other Members who walked out and the offence that might be thought to have been conceivably perpetrated by Mr. Prakasam. The other Members who merely walked out are not subjected to this privilege motion or whatever it is. This means that the basis on which we have to discuss this motion is that there is a right to walk out which this House is not asked to question. Let us start from that point. If the right to walk out is granted, I submit that it is no use trying to quibble about points of order, points of information and things like that, and I state, Sir, that any person who is intending to walk out has a right to explain why he intends to walk out. If it is stated that any of the Members on this side have argued that Mr. Prakasam rose to raise a point of order in the ordinary, facile, easy way in which points of order are for instance sought to be raised before, Sir, a person of your status, and that the same thing was intended on that day, and there was to be discussion on one side followed by discussion on the other side, I do not think

[Sri B. V. Subrahmanyam] [14th May 1952]

the position is being quoted properly. The last Speaker, Sri Bashyam Ayyangar, is trying to treat it from too legalistic and too technical a point of view when he speaks of the point of order on which Mr. Prakasam rose not being a proper point of order. Nobody agrees, Sir, that anyone had a right to raise a point of order in the usual, facile way in which points of order are raised, and sometimes dismissed by men like you, Sir; and what I state is that if the right to walk-out is there, the right to explain the walk-out is also there. It cannot be that the right to walk-out, merely as a walking-out, is permissible but that the explanation why the walking-out is taking place will not be permitted. Conventions have to be built up. If one of the conventions centres round the fact that a person can walk out of an assembly or assemblage, it should be a further convention, Sir, and I say it should be, and will be, as healthy a convention as any, that one could explain why he is walking out. We are not thinking strictly within the realms of law, and nobody is thinking in terms purely of the rule of law. I am surprised at the manner in which some things do happen on the floor of this House, and I shall not adumbrate all of them here. If we are trying to follow a rule of law, let us follow it by all means, at every stage. I wish to say, and it is very painful to a lawyer, that in this matter there is no question of thinking in terms of strict rules of law. In this very House we have not had the decency or courtesy to ourselves, first to constitute and create a Committee of Privileges before moving a resolution or a motion of this nature. Although this breach of privilege took place, Sir, on the 6th of May and we are on the 14th, I ask, Sir, if people are believing in the rule of law and believing in the strict letter of the law, what prevented this Committee of Privileges being formed before the 13th when this House was asked to consider this question of privilege? It was prevented merely because there was a desire to hit in the dark. I am not used to being hit in the dark. We are not used to being hit in the dark. Let there be proper rules; and, if there are no proper rules, why is it that we are trying to speak of a rule of law without the rule of law first being written for everybody to understand? I, therefore, say that it is no use being too legalistic, and no use stating that the speech made by Mr. Prakasam on the occasion of his walking out in explanation of why he was walking out is a thing that cannot be permitted under the Constitution. People who say so do not know what the Constitution is, what the Constitution has provided for, and what things have been left unprovided for even after the coming into force of the Constitution, even after the coming into force of a Ministry in the State, and the Legislature having begun to function. I would like to warn anybody who states the contrary, because the rules of law and the legal position have been examined by me with some care and I state, Sir, the right to speak follows the right to walk out.

“ I would then like to ask, Sir, is it the length of the speech that makes the difference? Suppose Mr. Prakasam got up and said ‘ Your Excellency, as a protest against the formation of a



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Ministry out of the minority party, I and people of my way of thinking walk out,' would there have been any difference, Sir, between the position then and the position now when Mr. Prakasam has spoken for more than the time that would have been taken to speak that one sentence which was necessary on that occasion? I say, Sir, that once the right to walk-out is granted, once the right of speech with the right of walking-out is granted—it cannot but be granted—it is not the length of the speech that makes it constitutional or unconstitutional.

“ Sir, we have no precedents for an occasion like this, but it will be hard to say that in this country we should insist upon every Member of the assemblage sticking to a conformity of rule and that there should be no ‘walk-out’ at all. Imagine some five years or ten years hence a whole majority, not of Congressmen, not of Socialists, not of Kisan-Mazdoor-Praja Party men, and not even of Krishakar-Lok Party men, but a whole majority of Communists sitting there, and a handful of us who are in thorough disagreement with them—and I wish it to be known that we, Socialists, are as much in disagreement with certain Communist ideologies and policies as are Congressmen—sitting on the other side, and imagine things were being said to us and things were being done, against which we should protest. Then, I say, Sir, we have as much right to walk out, and as much right to state to whoever presides on that occasion why we are walking out. I feel, Sir, that if we are to barter away this right to walk out, and barter away this right of speech to explain why we are walking out, we are creating a bad precedent for the future, because the walk-out is a precedent that we may have to use some day or other. I, therefore, state that looking at this matter too legalistically would not lead us anywhere.

“ What is it that Mr. Prakasam has done in addition to the speech that he made? He is said, in this resolution, to have got up and interrupted the speech of the Governor. Now I was present on that occasion and was watching very carefully what had happened. I noted, and many others did too, that Mr. Prakasam was standing at the mike long before His Excellency got up. I do not know whether others noticed it, but I noticed the fact that Mr. Prakasam was not looking at the dais or at the place where His Excellency was standing. His Excellency got up and read a half or three-quarters of a sentence when Mr. Prakasam became alive to the fact that the Governor had risen and was speaking. Mr. Prakasam said something—I did not hear him distinctly—but I heard the word ‘point’. I believed he was going to talk on a particular point or raise a point of order or of information or something like that. His Excellency, who was in full possession of his own prestige and dignity, and who took much better care of these than some of us are trying to do for him here, immediately sat down. When he sat down, Mr. Prakasam raised the questions that he wanted to put before His Excellency. If His Excellency had asked Mr. Prakasam to sit down, and Mr. Prakasam did not sit down, I, Sir, speaking for myself and for my party, would have been entirely in agreement with the spirit of this resolution, even if it was not too

[Sri B. V. Subrahmanyam] [14th May 1952]

correct an attitude, and was too much of an exhibition of one's own littleness. I say, Sir, with all respect, I would not have opposed this motion. But, Mr. Prakasam did nothing like that. He simply went on, and His Excellency allowed him to speak. If His Excellency's allowing Mr. Prakasam to speak is a thing about which this House is asked to protest, I say, Sir, we are trying to be more royal than the King, and we are trying to out-Governor the Governor. That is not the spirit in which, I say, this House should proceed in such a matter. The whole thing shows littleness of mind, and reveals that the object of this motion is not really the purpose which appears on the surface, but merely to hinder the Opposition, harass Mr. Prakasam, and hurt the feelings of those who think with him. This is not the way to deal with men and things. This is not the way to strengthen the Congress Party. And I would like to warn the Congress Party and the Leader of the House who is the Leader of the Congress Party that, if this is the manner in which he is trying to out-do Mr. Prakasam and his group, he will be doing a very wrong thing both for himself and the Congress Party. I warn him that, if he still persists in this manner, he will be getting not what he wants, not what I want, but what somebody else wants. I warn him against this spirit of vindictiveness. I conclude with the words of one much greater than he or I, and much greater than all the puny creatures of this Petty House (he was pleased to call it 'Petty' yesterday); yes, I quote the words of Shakespeare who said: 'Tis excellent to have a giant's strength, but tyrannous to use it like a giant.' I do not know whether the Chief Minister has yet acquired a giant's strength. He is probably trying to acquire it, and this motion is one of the processes of acquiring it. But I can tell him that this is tyranny all right against the right of speech, this is tyranny against the human spirit and tyranny against old comrades who deserve much better treatment at our hands, and who have done much better things for us in their time than what the Congress Party and the Government in power are trying to do in the future. The Socialist Party and I cannot associate ourselves with such tyranny."

MR. CHAIRMAN :—"The House will now rise for lunch and meet again at 2-30 p.m."

(After lunch—2-30 p.m.)

\* SRI M. P. SIVAGNANA GRAMANI :—"கனம் தலைவர் அவர்களே, நம்முடைய கனம் முதன் மந்திரி அவர்கள் கொண்டு வந்திருக்கும் இந்தத் தீர்மானத்தை நான் ஆதரித்துச் சில வார்த்தைகள் பேச விரும்புகிறேன்.

"இந்தத் தீர்மானத்தில் குற்றஞ்சாட்டப்பட்டிருக்கும் கனம் அங்கத்தினர் டி. பிரகாசம் அவர்கள், பார்லிமென்ட்ரி துறையில், தீர்மானத்தைக் கொண்டு வந்திருக்கும் கனம் ராஜாஜி அவர்களைவிட, அதிக நாள் அனுபவம் பெற்றவர். இந்திய அமைப்பினியில் பல காலம் அங்கத்தினராக இருந்தவர். இந்த மாகாணத்தில் கூட பிரதமர் பதவியை வகித்துவந்தவர். மேன்மை தங்கிய கவர்னர் அவர்களை வரவேற்கும் முறை, கூட்டு அமைப்பினியில் கவர்னருடைய பேச்சு நடக்கும்போது நடந்து கொள்ளவேண்டிய முறை எல்லாம் அவருக்கு நன்கு தெரிந்திருக்கவேண்டும்; தெரிந்



14th May 1952] [Sri M. P. Sivagnana Gramani]

திருக்கும் என்பதிலும் சந்தேகமில்லை. அப்படிப்பட்ட ஒருவர் அன்று அம்மாதிரி நடந்தது தவறு. அது தான் இந்தத் தீர்மானத்தின் பிரச்சனையாகும். சமீபகாலத்தில் நடந்த சம்பவங்களைப் பார்க்கின்றபோது, ஒழுங்குமுறையை மீறி நடப்பது, எதிர்க்கட்சித் தலைவர் கனம் டி. பிரகாசம் அவர்கள் மட்டுமல்ல; அவரைச் சேர்ந்த தோழர்களுந்தான் அப்படி நடக்கின்றார்கள் என்பதை அறிவோம். ஆனாலும் மற்றவர்களுக்கு வழிகாட்டியாக இருக்க வேண்டிய கனம் டி. பிரகாசம் அவர்கள், அன்று அப்படி நடந்து கொண்டது ஒரு பெரிய குற்றமாகும். இந்தத் தீர்மானம் அவரைத் தண்டிக்கக் கொண்டுவந்ததல்ல; அவருடைய நடத்தையைக் கண்டிக்கத் தான் கொண்டுவரப்பட்டிருக்கிறது என்பது என் அபிப்பிராயம்.

“கனம் அங்கத்தினர் ஒருவர் குறிப்பிட்டார், எல்லோருக்கும் பேச்சரிமை இருக்கிறதென்று. அரசியல் சட்டத்தில் பேசுவதற்கு உரிமை (Fundamental rights) இருக்கிறது. அதை நான் மறுக்கவில்லை. அந்தப் பேச்சரிமையை எப்படி உபயோகிப்பது என்று தான் நான் கேட்கிறேன். இராஜ்யத்தின் தலைவர் அழைக்கப்பட்ட விருந்தாளி, அவர் பேசுகின்ற போது அந்தப் பேச்சைத் தடுத்து நிறுத்தி அவரை எசுவதற்கா பேச்சரிமை இருக்கிறதென்று நான் கேட்கின்றேன். கனம் டி. பிரகாசம் அவர்கள் அன்று பேசினார், அவர் பேசும் உரிமையைப் பயன்படுத்தினார், அல்லது பேசிக்கொண்டிருந்த மேன்மை தங்கிய கவர்னர் அவர்களை எதிர்த்து எசும் உரிமையைக் கைக்கொண்டாரா என்பதுதான் கேள்வி. என்னைப் பொறுத்தவரையில், அவர் பேசும் உரிமையைப் பயன்படுத்தியிருந்தால், இந்தத் தீர்மானத்தை ஆதரிக்கக் கடைப்பிடிப்பதில்லை. ஆனால், அவர் எசும் உரிமையைப் பயன்படுத்தியிருக்கிறார், அதை எந்த நேரத்தில், எப்படி எசினார், யாரை எதிர்த்து எசினார் என்பதை யெல்லாம் வைத்துக்கொண்டு தான் இதில் ஒரு முடிவு காணவேண்டும்.

‘மேன்மை தங்கிய கவர்னர் அவர்கள் பேசுவதற்கு முன்பே பேசியிருந்தாரா என்றால், அப்படிப் பேசவில்லை. கவர்னர் பேசத் துவங்கி படித்துக் கொண்டிருந்த போது இடைமறித்துப்பேசினார், ஒழுங்குமுறையை மீறி கவர்னர் பேசுவதற்கு முன்பே நான் நின்று கொண்டிருந்தேன் என்று கூறினாலுங்கூட, அவர் பேசத்தவங்கிய பிறகு உட்கார்ந்திருக்கலாம், அல்லது பேசாமலே வெளியேறிருக்கலாம். அப்படியில்லாமல், கவர்னர் பேசிக் கொண்டிருக்கிறபோதே, தடுத்து நிறுத்தித் தான் பேசினார். பேசிய தோரணை ஒரு கவர்னரிடம்—அதுவும் இராஜ்யத்தின் தலைவராக இருக்கும் கவர்னரிடம்—நம்மால் கௌரவிக்கப்படவேண்டிய விருந்தாளியாக வந்த கவர்னரிடம்—கனம் அங்கத்தினர் ஒருவர் நடந்துகொள்ளவேண்டிய ஒழுங்குமுறையை மீறி நடந்து கொண்டார். கவர்னருடைய பேச்சைக் கேட்க அங்கத்தினர்கள் அழைக்கப்பட்டார்களே யொழிய, கவர்னருடைய பேச்சின்மீது விவாதம் நடத்துவதற்காக அல்ல. அன்று நடந்த சம்பவங்களைக் கவனித்துப் பார்க்கின்றபோது, கனம் டி. பிரகாசம் அவர்கள் வேண்டுமென்றே, திட்டமிட்டு, முன் ஏற்பாடாக கவர்னருடைய பிரசங்கத்தை அவமதிக்க முடிவு செய்திருந்தார் என்று தெரிகிறது.

“அது மட்டுமல்ல; அன்று காலையில் கருப்புக்கொடி ஆர்ப்பாட்டம் முதலிய செய்கைகளினால் செக்ஷன் 144-ன்படி தடை உத்தரவு போடும் அளவுக்கு சூழ்நிலை இருந்திருக்கிறது. ஐக்கிய முன்னணியார், மே.ச. கவர்னர் அவர்களுடைய பிரசங்கத்தைத் தடுக்கவேண்டும்; சபையிலிருந்து வெளியேறி வேண்டும் என்று முன் ஏற்பாடாகக் காரியங்களைச் செய்திருக்கிறார்கள் என்று தெரிகிறது. அப்படிப் பார்க்கும்போது, பார்லிமென்டரி துறையில் நன்கு அனுபவம் பெற்ற கனம் டி. பிரகாசம் அவர்கள் இந்த முறையில் அன்று நடந்தது கண்டிக்கத்தக்க செய்கையாகும்.

“கனம் பிரகாசம் அவர்கள் அன்று பேசும் உரிமையைத்தான் பயன்படுத்தினார் என்றால், நாங்களும் அவரைப்போலவே பேசும் உரிமையைப் பயன்படுத்தியிருந்தால் நிலைமை என்ன ஆயிருக்குமென்பதை யோசிக்க வேண்டும். கனம் பிரகாசம் அவர்களுக்குப் பேச உரிமை இருக்கிறது. அதனால் அன்று அவர் பேசியிருக்கிறார் என்று வைத்துக் கொள்ளுவோம்.

[Sri M. P. Sivagnana Gramani] 14th May 1952]

அதே உரிமையை நாங்களும் என்போலுள்ளவர்களும், பயன்படுத்திக் கொண்டு, சுவர்னருடைய தவறுகளை எடுத்துக்காட்ட இவருக்கு உரிமை இருப்பதுபோல், கனம் பிரகாசம் அவர்கள் எப்படித் தேர்தலில் வந்தார், எங்கே நின்றார், எந்த முறையில் வந்தார் என்பதை யெல்லாம் இடைமறித்து நானும் பேசியிருந்தால்' என்னை மறுத்து இன்னும் சில U.D.F. அங்கத்தினர்கள் பேசியிருந்தால்' கவர்னர் அவர்கள் தம்முடைய பிரசங்கத்தைப் படித்து இருக்கமுடியுமா? கனம் பிரகாசம் அவர்களைப்போன்று எல்லோரும் பேச்சுரிமையைப் பயன்படுத்திக்கொண்டிருந்தால், இந்த மாகாணத்தின் மதிப்பு வானத்தில் பறந்து போயிருக்குமே! அந்த அளவுக்கு விபரீதம் இந்த மாகாணத்தில் நடைபெறுது இருந்ததென்றால், அதற்கு இம் மாகாணத்தின் ஆளும் கட்சி மற்ற அங்கத்தினர்களுடைய அரசியல் ஒழுக்கம் அருகை இருந்தது. எங்களுடைய அரசியல் ஒழுக்கை—அரணை—மதிலாகக் கொண்டுதான், கனம் அங்கத்தினர் பிரகாசத்தால் தங்கு தடையின்றி அரசியல் சம்பிரதாயத்தை முறித்து, பேச்சுரிமை என்பதைக் கொண்டு கவர்னர் அவர்களை எசுவதற்கு ஒரு சந்தர்ப்பம் ஏற்பட்டது. சபையிலுள்ள ஒரே ஒரு சோஷலிஸ்டு அங்கத்தினர், நண்பர் சப்ரமணியம் அவர்கள் கூறினார்கள், 'கனம் அங்கத்தினர் பிரகாசம் பேசியது சம்பிரதாயத்திற்கு விரோதமானது, சட்டத்திற்கு முரணானது என்றால், சபையிலிருந்த மற்றவர்கள் என்ன செய்தார்கள்? அப்போழுதே உடனேயே எழுந்திருந்து கனம் அங்கத்தினர் பிரகாசத்தை "sit down" என்று சொல்லியிருக்கக்கூடாதா?' என்று. கனம் தலைவர் அவர்களே, நான் ஒன்றைக் கூறமுடியும். 'கனம் பிரகாசம் அவர்களே, நீங்கள் பேசுவது சரியல்ல, உட்காருங்கள்' என்று சொல்லியிருந்தால், பிரகாசம் அவர் உட்கார்ந்திருப்பாரா? அல்லது அவர் சகாக்கள் சும்மா வெளியேறி இருப்பார்களா? அவர்களை பின்னர் பலாத்காரமாக வெளியேற்றவேண்டிய ஒரு அவமான கரமானது, இழிவான சம்பவம் நடந்திருக்குமேயல்லாது வேறு எதுவும் நடந்திருக்காது சட்டம் தெரியாமல், சட்டசபை சம்பிரதாயம் தெரியாமல் ஒரு அங்கத்தினர் மேன்மை தங்கிய கவர்னர் அவர்கள் பேசும்போது, எழுந்த பேச முயன்றிருந்தால், அது தவறு என பிறர் சட்டிக் காட்டினால் அவர் ஒருக்கால் உட்காரக்கூடும். ஆனால், சட்டசபை சம்பிரதாயம் தெரிந்த, சட்டம் தெரிந்த, பார்லிமெண்டரி முறை தெரிந்த பழுத்த அரசியல் தலைவர் ஸ்ரீ பிரகாசம் அவர்கள் வேண்டுமென்றே சட்டத்தை முறித்து, சம்பிரதாயத்தை மீறி பேச ஆரம்பிக்கும்பொழுது சர்க்கார் கட்சியினர் அது தவறு, உட்காருங்கள் என்று சொல்லிவிட்டாலா உட்கார்ந்து விருவார்? அன்று மே.த. கவர்னர் அவர்களோ கனம் முதல் அமைச்சர் அவர்களோ அப்படிச் சொல்லியிருந்தால்' நிச்சயமாகச் சொல்லுகிறேன், கனம் பிரகாசம் அவர்களை பலவந்தமாக வெளியேற்றவேண்டிய ஒரு விபரீதமான நிலைமை இந்த மாகாணத்திலே ஏற்பட்டிருக்கும். அம்மாதிரியாக ஏற்படாமல் இருந்ததற்குக் காரணம் சர்க்கார் கட்சியின் பண்பட்ட அரசியல் ஒழுக்கம் ஒன்றே என்பதை சட்ட சபையிலுள்ள அங்கத்தினர்கள் உணர வேண்டும். அப்படி அங்கத்தினர்கள் கனம் பிரகாசத்தைத் தடுக்காததினால் கனம் பிரகாசம் செய்தது சரியானதாக ஒரு நாளும் ஆகாது.

"கனம் அங்கத்தினர் பிரகாசம் அவர்கள் இன்று தம்முடைய சொற்பொழிவின் மூலம் சலபமாக இந்தத் தீர்மானத்தைத் தவிர்த்திருக்கலாம். அதாவது, 'இந்த இராஜ்யத்தின் தலைவரை, சட்ட சம்பிரதாயங்களை மீறி அவமதிக்கக்கூடிய எண்ணம் எனக்குக் கிடையாது' என்று ஒரு வார்த்தை தெரிவித்திருந்தால் இந்தத் தீர்மானத்திற்கு அவசியமே இல்லாதிருந்திருக்கலாம். அதற்குப் பதிலாக, 'நான் பேசிய பேச்சு மிகவும் சரியானது, நான் செய்த காரியம் சட்டசபை சம்பிரதாயத்திற்கு முரணானது அல்ல, மேன்மை தங்கிய கவர்னர் அவர்கள் சட்டத்தை மீறி ராஜாஜி அவர்களை மேல் சபைக்கு நியமனம் செய்தது தவறானதேயொழிய. அந்தத் தவறை எடுத்துக்காட்டிய என் செய்கை தவறானது அல்ல' என்றெல்லாம் வாதம் செய்தது, சர்க்கார் இம்மாதிரியான ஒரு 'நென்ஷர் மோஷனைக்' கொண்டு வந்தது மிகச் சரியானதே என்பதை உறுதியாக்குகிறது. மகாத்மா காந்தியடிகளின் மீது அபிமானம் காட்டிய கனம்



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பிரகாசம் அவர்கள், மகாத்மா காந்தியடிகளையும் கூட எதிர்த்து ஒரு காலத்தில் சண்டை போட்டிருக்கிறார். ஆகையால், கனம் பிரகாசம் அவர்களுக்கு இது ஒன்றும் புதிதல்ல. மகாத்மா காந்தியையும், பண்டித நேருவையும் அவர் எப்படி எதிர்த்திருக்கின்றார், ஸ்ரீ என். ஜி. ரங்கா அவர்களோடு அவர் எப்படி நடந்துகொண்டார் என்பதெல்லாம் இப்பொழுது கவனிக்கவேண்டிய விஷயமல்ல. அவைகளையெல்லாம் வீணாக எடுத்துக்கூறி நமது சகிப்புத் தன்மையை சோதித்துவிட்டார். கனம் பிரகாசம் அவர்கள் அரசியல் சம்பிரதாயங்களை மீறினாரா இல்லையா என்பதுதான் இந்தத் தீர்மானத்தில் நாம் கவனிக்கவேண்டிய முக்கியமான விஷயமாகும்.

“அடுத்தபடியாக, சபையின்னும் வெளியேறியது சரியா இல்லையா என்பதைக் கவனிக்கவேண்டும். வெளியேற அவர்களுக்கு உரிமையிருக்கிறது என்று வைத்துக்கொள்வோம். இந்த வெளியேறும் வழக்கத்திற்கு நான் புதியவன். ஆனால் கனம் பிரகாசம் அவர்கள் இந்த வெளியேறும் வழக்கத்திற்குப் புதியவரல்ல, பழக்கப்பட்டவர். டில்லியில் ஆங்கில ஆதிபத்திய ஆட்சி இருந்தகாலத்தில் காங்கிரஸ்காரர்கள் எவ்வளவோ முறை ஆட்சியின் நடத்தையைக் கண்டிக்கும் முறையில் சபையைவிட்டு வெளியேறியிருக்கிறார்கள். அவர்களோடு கூட கனம் பிரகாசமும் வெளியேறும் படலத்தில் பங்கு கொண்டவர்கள்தான். ஆனால், அவர்கள் எப்படி வெளியேறினார்கள், வெளியேறும் வழக்கம் எப்படி என்பதை கனம் அங்கத்தினர் பிரகாசம் அவர்கள் கவனிக்கத் தவறியது மிகவும் வருந்தத்தக்க விஷயமாகும். அப்பொழுதெல்லாம் கவர்னர் ஜெனரல் அவர்கள் பேச ஆரம்பிக்கும்பொழுது அதற்கு எதிர்ப்புக் காட்டும் வகையில் எதுவும் பேசாமல், குழப்பத்தை உண்டுபண்ணாமல், சபையிலே சூச்சல் போடாமல், வெளியேறி வெளியே வந்தபின் பிரசங்கத்தைக் கேட்காது தாங்கள் வெளியேறி வந்ததற்குக் காரணத்தைப் பத்திரிகைகள் மூலமாக அறிக்கை கொடுப்பார்கள். இதுதான் காங்கிரஸ் கட்சியார் அரசியல் ஒழுங்கோடு, சம்பிரதாய வரம்போடு, சட்டத்தை மீறாமல் நடத்திய எதிர்ப்பு நடவடிக்கையாகும். இம் மாதிரியான காங்கிரஸ் வெளியேற்றங்கள் பலவற்றில் பங்குகொண்ட கனம் அங்கத்தினர் பிரகாசம் அவர்கள் இந்த முறைப்படியே நடந்திருந்தால் இந்தப் பிரச்சனை எழாத்திருக்காது. ஒழுங்கு நடத்தைத் தீர்மானமும் சபையிலே கொண்டுவருவதற்கு அவசியம் ஏற்பட்டிருக்காது, அந்தத் தீர்மானத்தைப் பற்றி இவ்வளவு சூடாக விவாதம் நடைபெற்றிருக்காது.

“ஜனநாயக ஐக்கிய முன்னணித் தலைவர் கையிலே இந்த மகாணத்தின் அரசாட்சியைக் கொடுக்கக்கூடாது, கொடுத்தால் நாட்டிலே அராஜகத்திற்கு அடிகோலி, சட்டத்தைக் குலைத்து, சம்பிரதாயத்தை முறித்து, அமைதி வாழ்க்கையை சிதைத்து, மாகாண அரசாட்சியையே சின்னையின்னமாகக்கி விடுவார்கள், என்பதாக காங்கிரஸ்காரர்கள் பலர் கூறினோம். தங்கள் கையிலே ஆட்சிவந்தால் அப்படித்தான் நடக்கும் என்பதபோல, மேன்மை தங்கிய கவர்னர் அவர்கள் பிரசங்கத்தின்போது அராஜகத்தின் அறிகுறியாக, சட்டத்தையும், சம்பிரதாயத்தையும், வழக்கத்தையும் ஒழுங்கையும் மீறி, முறித்து, குலைத்து, குறுக்கே எழுந்து, எசும் முறையிலே பேசி காங்கிரஸ் சாரர்கள் சொன்னது யாவும் உண்மை என்பதை நிரூபித்து விட்டார்கள்.

“இன்னொன்றை முக்கியமாகப் பார்க்கிறேன். இந்த தீர்மானத்தைப் பொறுத்தவரையில் இரண்டு விஷயங்களை எல்லோரும் கவனிக்கவேண்டும், பேச்சுரிமைச் சட்டத்தின் கர்த்தாவாகிய மேன்மை தங்கிய கவர்னர் அவர்கள் பேச ஆரம்பிக்கும்பொழுது அவரது பேச்சுரிமைக்குக் குறுக்கே நின்று அவர் பேச்சைத் தடுத்துவிட்டு, கனம் அங்கத்தினர் பேசியது உண்மையா இல்லையா என்பது ஒரு பிரச்சனை. இரண்டாவதாக, அப்படிப் பேசியபொழுதுங்கூட மேன்மைதங்கிய கவர்னர் அவர்களிடம் பேசும் பொழுது எந்த முறையில், எந்த சம்பிரதாயத்தில் பேசவேண்டுமோ அந்த முறையிலே பேசாது கவரவக் குறைவாகப் பேசினாரா? இல்லையா என்பது இந்த இரண்டும் உண்மையே. கட்சிப் பற்றற்றவரைப் பார்த்தாலும், அவர் நடந்துகொண்ட விதம் சொஞ்சமும் சரியல்ல என்றே சொல்லவேண்டும். நான் காங்கிரஸ் கட்சிக்காரன் என்றாலுங்கூட, காங்கிரஸ் கொண்டான் என்றாலுங்கூட, இன்று அந்தக் கட்சிக்கும் எனக்கும் பற்றில்லாத முறையிலே, நல்ல

[Sri M. P. Sivagnana Gramani] [14th May 1952]

சட்டத்தை வகுத்து, நல்ல சம்பிரதாயத்தை நிலை நாட்டி, ஒழுங்கு முறையை சிருஷ்டிக்கவேண்டுமென்ற கருத்துடனேயே பேசுகின்றேன். எதிர்க் கட்சித் தலைவர் இம்மாதிரியாக சட்டத்தை மீறியதற்கு, சம்பிரதாயத்தை முறித்ததற்கு, ஒழுங்கு முறையை சிதைத்ததற்குக் காரணம் என்ன என்பதை எதிர்க்கட்சி அங்கத்தினர்களே ஒவ்வொருவரும் அவரிடம் கேட்டிருக்கவேண்டும். தங்கள் கட்சியின் கௌரவத்தைக் குலைத்த தற்காக அவரிடம் காரணம் கேட்டிருக்கவேண்டும். அவர்கள் அப்படிச் செய்யத் தவறியதோடல்லாமல் தங்கள் கட்சித் தலைவர் செய்தது சரியானது, ஜனநாயகப் பண்பாட்டிற்கு உட்பட்டதான ஒரு செய்கையேயாகும் என்பதாக வெல்லாம் வாதம் செய்தது என்போன்றவர்களுக்கு வியப்பைத்தான் தருகின்றது. ஏனென்றால், நாங்கள் எல்லோரும் உட்கார்ந்திருந்தோம். எதிர்க்கட்சி அங்கத்தினர்கள் யாவரும் உட்கார்ந்திருந்தார்கள், காலரிகளில் ஏராளமான மக்கள் உட்கார்ந்திருந்தார்கள், அந்த நேரத்திலே கனம் அங்கத்தினர் பிரகாசம் மேன்மை தங்கிய கவர்னர் அவர்களைப் பேசவிடாது தடுத்து நிறுத்தி அங்கே உட்கார்ந்திருந்தவர்கள் யாவரும் மனம் புண்படக் கூடிய நிலையில் ஏன்—எதிர்க் கட்சித் தலைவர் கனம் ஆதித்தன் அவர்களே, மனம் புண்பட்டு “நீங்கள் பேசியதுபோதும், கீழே உட்காருங்கள்” என்று வாய்விட்டுச் சொல்லாமல், கனம் அங்கத்தினர் பிரகாசத்தின் சட்டையை இரண்டுமுறை இழுத்த காட்சி மகா கோரமாக இருந்தது.”

**Sri S. B. ADITYAN.**—“On a point of information, Sir, I did not pull Mr. Prakasam.”

**\* SRI M. P. SIVAGNANA GRAMANI :**—“எனக்குக் கொஞ்சம் கண் நன்றாகத் தெரியும். இளமை வயது தான். சட்டையை இழுக்கவில்லை யென்று அவர் சொல்வாரேயானால், கனம் பிரகாசம் அவர்கள் பேசிய ஆபாசமான பேச்சைக் கேட்டுக்கொண்டு பொறுமையோடு உட்கார்ந்திருக்க முடியாத நிலையிலே கனம் ஆதித்தன் அவர்களுடைய முகம் கறுத்து, சுருங்கிப் போனதை நான் நன்றாகக் கவனித்தேன். அவர் மனதிலுள்ள எண்ணத்தை அவர் முகமே நன்றாக எடுத்துக் காட்டியது. தலைவர் செய்த செய்கையை, சட்டத்தை மீறிய ஒரு நடத்தையை, கட்சிக்கு இழுக்கைத் தேடித்தந்த ஒரு செயலை அவர்களே கண்டித்திருக்கலாம். ஆனால், தலைவர் அவர்களுடைய கௌரவத்தைக் காப்பதுபோல, கண்ணியத்தை நிலை நிறுத்திக் கொள்ளுவது போல, தங்கள் கௌரவத்தையும் தங்கள் நடத்தையையும் காற்றில் பறக்கவிட்டு விட்டுப் பேசினார்கள். ஒன்றை நான் அவர்களுக்குச் சொல்லுகிறேன்: கனம் அங்கத்தினர் பிரகாசத்திடம் அவர்களுக்கு இருக்கும் பக்தியைவிட, அவர்கள் காட்டும் கௌரவத்தைவிட, நான் அதிகமாக கனம் பிரகாசத்திற்கு கௌரவமும் கண்ணியமும் செலுத்தக் கடமைப் பட்டிருக்கிறேன். ஆனால், கனம் அங்கத்தினர் பிரகாசத்தினிடமிருக்கும் பக்தியைவிட, நம்பிக்கையைவிட, அபிமானத்தை விட எனக்கு என் பாரத நாட்டின் சட்டத்தின் மீதுள்ள பக்தி, நம்பிக்கை, அபிமானம் பெரிது என்பதைக் கூறிக்கொள்ளுகிறேன்.

“கனம் அங்கத்தினர் பிரகாசம் அவர்கள் நியமன அங்கத்தினர்களைப் பற்றி பேசுகையில் கவர்னரின் சேவகர்கள் போல, பிரதம மந்திரியின் வேலைக் காரர்கள் போல நடக்கவேண்டாம் என்பதாகக் குறிப்பிட்டார். அவருடைய சகோதர அங்கத்தினர்களுக்கு கொடுக்கும் மரியாதை இதுதான் என்று நான் அவரைக் கேட்கிறேன்? பணிவோடு மிகத் தாழ்மையோடு தான் கேட்கிறேன். பழைய காலத்தில் கவர்னர் அவர்கள் தங்கள் கொள்கையை ஆதரிப்பதற்காகவே, மக்களால் தேர்ந்தெடுக்கப்பட்டவர்களை மைனாரிட்டி கட்சி யாக்குவதற்காகவே, சர்க்கார் தரப்பு எப்பொழுதும் மெஜாரிட்டி யாக இருக்கவேண்டுமென்பதற்காகவே ஜாதியின் பேரால், மதத்தின் பேரால், பிற்பட்ட வகுப்பின் பேரால், பிளவு படுத்தி சில அங்கத்தினர்களை நியமனம் செய்வது வழக்கம். அப்படி கவர்னரால் நியமிக்கப்பட்ட அங்கத்தினர்கள் எப்பொழுதும் சர்க்கார் கட்சியையே ஆதரிக்கவேண்டியது என்று பழக்கமாக வைத்திருந்தார்கள். ஆனால், இன்று இந்திய ஜனநாயக சர்க்கார்களின் மேன்மை தங்கிய கவர்னர் அவர்கள் ஜாதியின் பெயராலோ, மதத்தின் பெயராலோ வகுப்பின் பெயராலோ நியமனம்



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செய்யும் வழக்கத்தை விடுத்து, தனிப்பட்டோரின் விஞ்ஞான அறிவுக்காக, கலை ஆற்றலுக்காக, பொது சேவையிலுள்ள இணையிலா ஊக்கத்திற்காக, கூட்டுறவு இயக்கத்தின் மேன்மைக்காக உழைத்து அடைந்த கடந்த கால பெயருக்காக நியமிக்கப்படுகிறார்களே யொழிய, அரசியல் மைனாரிடிக் கட்சியை மெஜாரிடிக் கட்சியாகத் துவதற்காகவோ, எப்பொழுதும் சர்க்கார் தரப்பை ஆதரிக்கவேண்டுமென்பதற்காகவோ அல்ல—அல்லவே அல்ல. கனம் ராஜாஜி அவர்கள் பிரதம மந்திரியாக வராத இருந்து, நாளை, என்போன்ற வேறு காரணங்காரர்கள் யாராவதோ வந்திருந்து, இந்த நியமனத்திற்கு ஆள் பொறுக்கியிருக்கும் பட்சத்தில், நூற்றுக்கு நூறு பேரும் அசல் காங்கிரஸ்காரர்களாகவே—அந்தப் 12 பேரையும்—பொறுக்கியிருப்போம். ஆனால், கனம் ராஜாஜி அவர்கள் கட்சி சம்பந்தமில்லாமல், கட்சி மனப்பான்மைக்கு அப்பாற்பட்டதாக, உண்மையாக திறமையாகப் பற்பல துறைகளில் பொதுப் பணி ஆற்றிவரும் ஊழியர்களையே பொறுக்கியிருக்கிறார்கள். அந்த ஊழியர்களும் கூட தாங்கள் ஆற்றிவரும் பணியிலிருந்து விலக விரும்பாது, இந்த அங்கத்தினர் பதவியை ஒப்புக்கொள்ள மறுத்துவிட்ட கனம் ராஜாஜி, அவர்களை வேண்டிக்கொண்டு, அவர்கள் சேவை இங்கே மிக அவசியமானது என்ற காரணத்திற்காகக் கொண்டுவந்திருக்கிறார்களே தவிர, சர்க்கார் தரப்பின் கையை ஒங்க வைக்க எப்பொழுதும் சர்க்காருக்கே போட்டுப் போடவேண்டுமென்ற வற்புறுத்தலோடு அவர்களை இங்கே கொண்டுவர வில்லை. சய உணர்ச்சியோடு, சய அறிவோடு, சய தன்மான மதிப்போடு வந்திருக்கின்றவர்களை, கனம் அங்கத்தினர் பிரகாசம் அவர்கள் இப்படியா பேசுவது? இந்த முறையிலா மரியாதை கொடுப்பது? என் மதிப்பிற்குரிய தலைவர் கனம் அங்கத்தினர் பிரகாசம் அவர்களுக்குக் கௌரவமா! ஒரு வாரத்தை சொல்ல விரும்புகின்றேன். 'கனம் பிரகாசம் அவர்களே தாங்கள் தேடிக்கொடுத்த சுதந்திரத்தை, தாங்கள் பாருண்டு பெற்ற பாரத நாட்டின் விடுதலையை, தங்கள் கண் முன்னேயே, தாங்களே, தங்கள் நடத்தைக்குரியே குலைத்துவிடவேண்டுமென்பது விருப்பமா? பாரத நாட்டு மக்களுக்குச் சுதந்திரமே இல்லாத நிலையை சிருஷ்டித்து விடுவதற்குத் தாங்கள் விரும்புகிறார்களா? . . . ஆம், என்று சொல்லக்கூடியானால், 'வரப் போகின்ற தங்களுடைய சந்ததியார்களுக்கு தங்களுடைய குழந்தைகளுக்கு நீங்கள் செய்யும் தவறாகும் அது, ஈடு செய்ய முடியாத குற்றமாகும் அது' என்று வணக்கத்துடன் சொல்லிக்கொள்ள விரும்புகிறேன். இத் தீர்மானம் கனம் அங்கத்தினர் பிரகாசத்தின் மீது கொண்டுவரப்பட்டிருக்கின்றபடியால், அவர் எனது மதிப்பிற்குரிய தலைவர் ஆகையால், இவ் விவாதத்தில் மேலும் பேச நா எழவில்லை, மனம் வருந்துகிறது. இப்பொழுதும் ஒன்றும் காலம் கடந்துவிடவில்லை. கனம் பிரகாசம் அவர்கள் விரும்பினால், இத் தீர்மானத்தை சபையின் போட்டுக்கு விடாமலேயே தவிர்க்கமுடியும். இல்லையானால், இந்தக் கௌன்சில் தன் கடமையிலிருந்து மீறிற்று, வழுவிறு என்று ஏசுக்கு இடமில்லாமல் சட்டத்தை மீறியது, சம்பிரதாயத்தை முறித்தது, ஒழுங்கைக் குலைத்தது, பீஷ்மாராக இருந்தாலும் சரி, அவருமல்ல, அவருடைய பிதாமகராக இருந்தாலும் சரி, செய்தது தவறு தவறு தான் என்பதை நிலைநிறுத்தி, இந்தத் தீர்மானத்தை ஏகமனதாக நிறைவேற்றிவைக்க வேண்டுமென்றும் கேட்டுக்கொள்ளுகிறேன்."

SRI C. RAJESWARA RAO :—" Mr. Chairman, Sir, I rise to oppose the motion moved by the Hon. Chief Minister. While moving the motion, the Hon. Chief Minister said that it was not to impeach the leader of the Democratic Front that he had brought in this motion, and that it was only brought in to see that no bad precedent was set up. But anybody who reads the motion can find out that it is not so. Here in this resolution, Sri Prakasam, Leader of the Democratic Front, is accused of several charges. Still it is very strange for the Hon. Chief Minister to say that he has brought in the resolution only to set up a good precedent. Please see, Sir, some of the words used in the resolution. 'Indecorous and

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disorderly conduct,' 'guilty of a grave contempt,' 'administers a stern admonition to the hon. Member for his misconduct,'—these are some of the terms used in this motion. I fail to see why the Hon. Chief Minister should fight shy of saying what he has got in his heart and say frankly and courageously, 'I accuse Sri Prakasam and I want to discipline him'. It is very strange that he has not said so. If the Hon. Chief Minister only wants to set up a good precedent, why is it that none of the Members on his side among whom there are a number of constitutional lawyers raised a point of order and stopped Mr. Prakasam from doing what he did on that occasion? Instead, he has brought forward this resolution six days after the incident happened. If only the Chief Minister wants to set right any constitutional flaw in the rules of procedure, he is at perfect liberty to do it. But he has not adopted that course. If his intention is only to set up a good precedent, he could have proceeded in that line.

"Secondly, I wish to point out that this is a link in the chain of the policy which the Chief Minister has been pursuing during these ten or eleven days of this Legislature session, though he has not been courageous enough to say so frankly. Firstly he was responsible for the promulgation of an order under section 144, Cr.P.C. Therein he made charges—or he was responsible for making charges—against Members of the Democratic Front and the Communist Party as if we were about to start a revolution and he had come to save this country from it. On the floor of the House, the Communists have not declared that the Hon. Chief Minister is their enemy No. 1 or public enemy No. 1. On the other hand, the Chief Minister and Members belonging to his party have declared that Communists are their enemy No. 1. The Chief Minister is flinging accusation after accusation against the Members of the Communist Party, and is trying to isolate the Members of the Communist Party from the Members of the other parties of the Democratic Front. Now he has brought forward this resolution against the leader of the Democratic Front. Though he says that his intention is not really to impeach Sri Prakasam, the leader of the Democratic Front, his real idea must be to break up the Democratic Front, by adopting a policy of 'divide and rule' which the British Imperialists adopted in this country. The Hon. Chief Minister wants to try this game of the British Imperialists to break the Democratic Front. Firstly, he has isolated the Communists by declaring them as enemy No. 1, and now he has come out with accusations against the leader the Democratic Front. If the Hon. Chief Minister moves along these lines, I warn him that he will not only make the Communist Party his enemy, but he will make other parties of the Democratic Front and all the people who support it, his enemies. The attempt of the Chief Minister to isolate the different parties of the Democratic Front and beat them one by one will fail, because we are living in the year 1952 and not 1948 or 1949, when it was possible to isolate the Communist Party from others. I want to congratulate the Hon. Chief Minister on his attacks on the different parties constituting



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the Democratic Front, beginning with the promulgation of an order under section 144, Cr.P.C., then his declaration of the Communist Party as his public enemy No. 1; and lastly his bringing forward this resolution of censure against the leader of the Democratic Front, Sri Prakasam. All these three acts have only strengthened the Democratic Front and not weakened it. I thank the Hon. Chief Minister for helping us to unite. Perhaps he thinks that there is a split in the Democratic Front. I read in some of the newspapers that some of the members belonging to the Congress Party were declaring at public meetings that there was a split in the Democratic Front. One of the hon. Members of the Congress Party gave advice to Mr. Prakasam as follows :—‘ Do not join the Communist Party. If you join, some day you will also have to jump into the well along with the Communists.’ Sri Prakasam is very well experienced—he is older than anyone of us sitting here—and he knows what to do. He knows how to fight the Communists and when to unite with them. One Congress Member who is supposed to be a votary of non-violence and a follower of Mahatma Gandhi said that there was nothing unfair in love and war. The Hon. Chief Minister and other Ministers have been saying that the Communists are for violence and chaos in this country and that the Government will suppress them with a strong arm. I am the leader of the Communist Party and about 61 members of our Party have been elected as Members of the Lower House. We fought the elections single-handed, and we had no alliance with the K.M.P. Party. After the elections were over, we joined hands with the K.M.P. Party and other parties, and put forth a programme which was appreciated even by a newspaper like the *Times of India*, owned by one of the biggest Indian business houses. The *Times of India* wrote as follows : ‘ Nobody can find fault with any part of the programme of the Democratic Front. The Congress has to take up this programme and isolate the Communists.’ We say that we have come to the legislature to implement that programme honestly and we only want you to allow us to work out this programme on the floor of the Legislature. I see no necessity to fling such accusations as the Communists being wedded to violence and 101 other things. While the leader of the Congress Party is saying that Congress men are votaries of non-violence, one of the members of his party says that all is fair in love and war. If the Congress Party is a votary of non-violence and a follower of the principles of Mahatma Gandhi, why should they have a big Police budget? Why should they spend seven crores of rupees out of 50 crores of rupees or so on the Police? Why should they spend a large sum of money on the defence forces? Are they not for committing violence? I can give a lot of facts about what the Congress Government had done in this State during the last five years. I ask the Chief Minister to take up my challenge, and set up a non-official enquiry committee and find out who committed violence during the last five years. If I have time, I can describe what the Congress Party has done during the last five years. I consider that the Congress Party has no right to talk about non-violence especially

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after having committed violence during the last five years. Their policy will not work at all and people will not be deceived by their professions of non-violence. Every day, every hour and every minute, they are committing violence and their regime is based upon violence. I say, 'You cannot provoke me to make this type of statement or that type of statement'. I have come here as a representative of the Communist Party to implement the programme of the United Democratic Front. I oppose the motion."

3 p.m. \* JANAB A. M. ALLAPICHAI :—"While supporting the motion moved by the Hon. Leader of the House, I wish to say a few words. It is true that this motion is of a serious kind. As a matter of fact in the words of the Hon. Leader of the House, it was with a great amount of mental agony he had to move this motion. I can say with emphasis that there is no Congress man here who did not love the hon. Member Sri T. Prakasam. I am not letting out a secret if I say that even to-day we, Congress men, have at least some love left for him in our hearts. But when we saw clearly that the Communist Party is making use of him as their atom bomb and as their sword, we in our own self-defence had to take action. When we did take it, we did not do it with any feeling of hatred. It is not with any idea of vengeance, but it was with the idea of making the hon. Member Sri T. Prakasam realize that he was being made the tool of the Communist Party. The Leader of the Communist Party the other day very eloquently observed that he would take up the challenge thrown at his party by the Hon. Leader of the House. If the leader of the Communist Party has interpreted the expression 'war' as meaning war in a military sense without taking into consideration the explanation given by the Hon. Mr. C. Subramaniam, we cannot help it. The word 'war' was not used in a military sense at all. Let it be understood clearly. It was made very clear in the speech of the Hon. Mr. C. Subramaniam that it was in response to the charges levelled by the Communist Party against us and their subsequent threats of violence.

"Sir, the Leader of the House is a trusted follower of Gandhiji. Gandhiji, as we all know, declared the greatest possible war against British Imperialism. It was with no feeling of hatred against the Britishers that he did so. In fact it is a known fact that he had abundant love for them and some of the Britishers also in their turn had reverence for him. It is on the same lines that war has now been declared against the Communist Party by the Hon. Leader of the House.

"Sir, allow me to observe that we Congress men do not believe in violence as the Communists do. We do not believe like the Communists in the non-existence of other parties. On the other hand we welcome the formation of opposition parties. As a matter of fact there is proof of what I have just now said in the very existence of the Socialist Party and the United Democratic Front composed as it is of the Communist Party, the K.M.P. Party and



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some Independents. All these clearly go to show that the Congress stands and will continue to stand for democratic principles. The Congress stands for the working of the Constitution of India which we have framed after great labour. The Congress is not here to scrap the Constitution. Therefore let us not misquote certain expressions that have been made by the Hon. Leader of the House.

“ The Leader of the Communist Party stated the other day that the Communists are wedded to constitutional methods. I say certainly they are *now* wedded to constitutional methods because the people have refused to believe in their violence which they so virulently practised before. I say with emphasis that the Communists believe in violence and violence alone. It is their conviction. When they realize that the people have given a verdict that they would never tolerate violence, they begin to say that they also believe in constitutional methods. Consistent with the principles of their party, they have silently adopted constitutional methods and got into the legislatures. Well, we know they will come round to our view in due course. But we know they are too weak now to use violent methods. Therefore they now resort to constitutional methods. When once we come to realize that they believe in constitutional principles and in the freedom of opposition parties also to exist, we will never declare war against them, even from the psychological point of view. Therefore let it be clearly understood that what the Hon. Leader of the House meant by the term ‘ war ’ was not war in a military sense but war based on non-violence. Let there be no more misunderstanding about it.

“ The Communist Leader has stated that their party believes in constitutional methods. In fact it is not so. If what the Leader of the Communist Party said is true let me put certain straightforward questions to him : ‘ Where is your Communist Party? How many are your members? Where are your district committees? Do you have any panchayat committees? What are the contributions of your members? What are your rules and regulations? ’ Can any one answer these questions? I say the Communist Party is nothing but a misnomer. It is a clique of some gentlemen, some well-organized gentlemen, very intelligent gentlemen, and I can very well say, gentlemen who are determined to do anything which they think right.

“ Take for instance the Socialist Party. No doubt they do not have as large a membership as the Congress. But they have formed themselves into an organization with a clear-cut policy and programme.

“ The Communists on the other hand are composed of a group of men who believe in the leadership of the proletariat. The Leader of the Communist Party here, Mr. C. Rajeswara Rao, said the other day : ‘ Give us an opportunity to rule for six months. We will make this place a Heaven ’. I would request the leader of

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my party, who is also the Leader of the House to give them an opportunity to rule for the period they want. But can they give us an assurance that they will allow other parties to exist? I am quite sure they will never do it. They may say at this moment that they will do so because they are for power. But the moment they get power, they will lose no time in wiping out other parties because they have not changed their creed.

“It is not mere gas, Sir, when I say these things, because they think that the very existence of many parties involves conflict of interests. The people of Soviet Russia, of whom they are so very proud, have only one party throughout their country. The words of Stalin stand as bayonets against his enemies if at all there be any. When, at the time of the changing of the Constitution of Russia in 1937, Stalin was questioned by the people about the desirability of allowing other parties to exist, he observed that allowing other parties to exist would amount to recognition of conflict of interests and as such it would retard progress. That is why only one party is there in Russia, and that is the proletariat. Thus we see that there is absolutely no scope for other parties to exist in Soviet Russia. But we, the Congress, stand for an altogether different ideal, viz., the growth of democracy.

“While supporting, of course painfully, this motion moved by the Hon. Leader of the House, I beg to submit that there is one point in Mr. Prakasam's speech, which deserves notice. He has said that he did not mean any insult whatsoever to the Governor. While speaking in his defence he has made this point very clear. I request the Hon. Leader of the House and other friends also to look into this aspect of the question, viz., that the interruption caused by Mr. Prakasam was not meant as an insult to His Excellency the Governor.”

\* THE HON. SRI N. RANGA REDDI :—“Mr. Chairman, Sir, it is my very unpleasant duty to support the motion. Mr. T. Prakasam has been a respected leader of the Andhras for a very long time. I was one of his disciples; but it is rather unfortunate that when one has to do his duty no other considerations should stand in the way. Hence I am compelled to support the motion moved by the Hon. Leader of the House.

“On the 6th of May 1952 His Excellency summoned both Houses of Legislature to hear his Address. Before the Address was delivered and at a time when the whole audience was in rapt attention to hear His Excellency and when His Excellency had just begun to deliver his Address, the hon. Member Mr. Prakasam stood up and interrupted His Excellency saying that he was rising on a point of order, and began to question the propriety of His Excellency delivering the Address to the joint session of both Houses. We have heard the defence of Mr. Prakasam. Various other members of this House have defended. Mr. Prakasam on various grounds. Some said that Mr. Prakasam was perfectly justified in making a speech of that sort. Of course some have



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admitted that the speech was not really in order. Some have contended that His Excellency, who was in full possession of both the Houses at that time, could have objected to Mr. Prakasam's interruption.

" May I remind my hon. Friend that a wrong which has been committed at a particular stage continues to be a wrong in spite of the fact that no objection was raised to it at that time. It is not purely a question of order. The fact that no objection was raised does not make it right. My point is, it was wrong on the part of Mr. Prakasam to have interfered and interrupted His Excellency while delivering his Address; and if other people did not protest against it, it was because they thought that it would become more disorderly. His speech amounted to an interruption and if others had objected and said it was a case of interruption, and raised points of order, all these would have amounted to greater interruption. Therefore, Sir, it was very wise on the part of those who kept quiet and did not raise any objection, but allowed Mr. Prakasam to proceed with his speech. 3-15 p.m.

" Sir, some hon. Members have raised an objection that as the speech was made in a joint session of the Legislature, this House sitting apart and in a different place, has no right to go into the question at all. May I submit, Sir, that it was an Address delivered to the joint session composed of both Houses of the Legislature? The very same Address has been debated for nearly two days in this House. When His Excellency delivered the Address, we were sitting there as a House and that is why we have a right to discuss that Address and debate on it. We sat there as Members of the Legislative Council and so anything that was uttered by a Member of the Legislative Council, any act done or any word said to interrupt His Excellency's Address, should be construed as one having been said or done by a Member of the Legislative Council in the forum of the Legislative Council.

" Then, Sir, another objection has been taken by my hon. Friend, namely, that His Excellency has no place at all in the Legislature under the Constitution, that he was a perfect stranger there, and therefore any insult or affront caused to him cannot be taken note of. But, I submit, that my Friends have already answered that point and I do not want to go over the same ground again. Of course, other Friends have taken objection and said, ' Well, something was done in the joint session; we are all Members of this Legislative Council, we do not know what has been done there and so you cannot judge the conduct of Mr. Prakasam without having a copy of his speech at the joint session.' May I submit, Sir, that all the Members who have taken this objection were present there, body and soul, they heard every word of what the hon. Member, Mr. Prakasam, said. Otherwise, I can only say, that they were not very punctual, or very diligent, or they did not want to take their duty to the Legislature as seriously as I do. (An hon. Member from the Opposition benches : ' The speech was not audible.' ) Very well, Sir, if the speech was not audible, the

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mike could have been set right. I only wish to say that it is a very feeble objection. If they were not able to hear the speech of Mr. Prakasam, how was it that they joined him in walking out? And on such an occasion as that, all these things contributed to this indecorous conduct.

“ Then, Sir, my Friend, Mr. Burra Subrahmanyam, a very clever lawyer that he is, began to cut or incise, as it were, every part of the argument and said that if Mr. Prakasam had walked out in protest, it came within the rights of a Member. Or, if he had only protested and not gone out, then also it was within his rights. Well, Sir, you cannot cut out things into small parts and say, this is admissible in law, that is admissible in law; and therefore all these things put together are admissible in law. But, I do not concede the proposition that he has a right to walk out or a right to say this or that. It was not an ordinary meeting of the Legislature, as has been pointed out by the hon. Member, Mr. V. Bhashyam Ayyangar. But, it was a special meeting which is governed by a special procedure. Therefore, all the points of order that were raised here on that ground were trivial and need not be taken note of. I only want the House to look into the matter from the cumulative effect of the speech and the subsequent action of the hon. Member, Mr. Prakasam. It is said that if he had walked out, it would not have amounted to an indecorous conduct. But that is not the way to look at the matter. On the other hand, you have to look at the whole proceedings from beginning to end, with what intention he started the long speech he made and his subsequent conduct. All these put together will give the impression that his behaviour amounted to indecorous conduct. Well, Sir, I only submit that after all His Excellency the Governor came there to deliver an Address. My hon. Friend, Mr. Prakasam, began to question the propriety of His Excellency delivering an Address at that particular stage on the ground that he had called upon the Leader of the Congress Party, Sri C. Rajagopalachari, who was not duly elected, to form the Ministry and that he should not have been called to form the Ministry. It was his object to bring prominently to His Excellency's notice that it was not a validly formed Ministry.

“ Sir, if that was his only object, I submit that the hon. Member, Mr. Prakasam, had already sent a letter to His Excellency stating that the Congress Party was in a minority, that the Leader of the Congress Party should not be called upon to form the Ministry and that the so-called Democratic Front, which was composed of hotch-potch parties as it were—some Communists, some Democrats, some Independents and some from the Praja Party—amounting to only 166 members in all, but still not being a majority of the whole House, should be called upon to form the Ministry. If the hon. Member who interrupted His Excellency still thought that his party had a greater majority, he should rest content with the fact that he had brought it to his notice already. Having done such a thing, it was unnecessary to stage a walk-out.



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In fact, there are very many other channels by which this information could be made available to His Excellency. But, he thought that the only method was by telling this to His Excellency when he was delivering the Address to a joint session of both the Houses of the Legislature which was definitely convened for hearing the Address. In fact, he had said so on a previous occasion. There was also the other occasion when, for one or two days, this House debated the Address of His Excellency. So many things have been said on the floor of this House not only about the aspect of the formation of the Ministry, but also about other grievances and so on. Therefore, it was unnecessary on the part of the hon. Member to have interrupted the Governor at that stage to criticize his action in calling upon the Hon. Sri C. Rajagopalachari to form the Ministry as unconstitutional.

“ Well, Sir, some hon. Friends said, ‘ After all something has been done; why should one be severe; let bygones be bygones.’ Sir, no one is in the least keen on pursuing these things. I know it will make our feelings more bitter. But, then if there is any chance of rapprochement being made and if there is any chance of a compromise being made . . . ”

SRI S. B. ADITYAN :—“ Then apologise and withdraw the motion.”

\* THE HON. SRI N. RANGA REDDI :—“ Yes, the hon. Member will know who will apologise and withdraw. I expect the hon. Member also to speak and let us wait and see who will apologise and withdraw. Merely saying ‘ apologise and withdraw ’ cannot carry us any further. I can also talk, but there is no use in talking with vehemence. After all, there must be some point, some sense in saying things.

“ Then, Sir, some hon. Members asked : should this be fought out to the bitter end? I say, Sir, that nobody is anxious to fight this to the bitter end. Of course, people make mistakes and if they are not intentional, they will be allowed to pass by. But, if people make not mistakes, but deliberately do certain things with a view to annoy, insult and act in a disorderly manner then, I think, such action ought to be taken note of seriously. Age does not confer immunity. In Criminal Law only children below the age of seven years have immunity. You know, Sir, the reason why? The reason is that an immature mind which cannot grasp things can be excused. I have not the least objection to it. But in this case there is no reason why it should be withdrawn.

“ Again, Sir, my hon. Friend has been commenting at great length on what Mr. Krishnamurthi said, namely, that ‘ all is fair in love and war ’. From what I understood, I think, he was referring to the unholy alliance between Mr. Prakasam and the other parties. He said that at one time he fought very vehemently against the Communists, but to-day he thinks . . . (An hon. Member from the front Opposition Bench : ‘ Not I.’) Not you. You would never say so, but you would do something else. He

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said that Mr. Prakasam had found strange bed-fellows in the Communists. If such a man as Mr. Prakasam should become a friend of the Communists and try to help their policy by saying that it is the proper policy and so on, I would also say that all is fair in love and war. My friend was referring to people who have lost their chance of being Ministers by pulling down the Congress Ministry. I think it was only in that spirit, if I understood my friend aright, that he said that all is fair in love and war. (Inter-ruption.) Very well, he might not have put it so cleverly. I am speaking for myself and I have also asked him and he has said that he said so only in that light. Well, people who do not feel with the Congress or agree with the policy of the Congress may say that all is fair in love and war. But, we care for the means much more than the end. That is the policy of the Congress. We want to fight honourably, if we want to achieve the end, not like other parties which are wedded to immoral means. All is fair in love and war for people who have fought the Communists and other parties on different political programmes and are now coming to unite with them. That is not our policy. Therefore, Sir, I am saying that it was in that spirit my hon. Friend Mr. Krishnamurthi said that all is fair in love and war. Well, Sir, for these reasons, though with the greatest reluctance, I support the motion."

SRI D. VENKATA RAO :—" Mr. Chairman, Sir, there was a very unfortunate incident on the 6th of May. Nobody was happy about it, neither those who were prompted for reasons of their own to stage a walk-out, nor any of us who sat down and observed that pathetic sight of the seceders passing out. It was a very unfortunate incident and it was a very bad beginning for the life of our Legislature, a Legislature which His Excellency so significantly called the historic legislature. We have begun our history with a quarrel and is this quarrel to continue? Sir, in the context of the critical position in which we are placed in this State and in the larger interests of the country, I wish we should not press the motion. I wish we forget and forgive (hear, hear). I wish we will not allow any more bitterness to continue, but work together in peace and harmony."

\* JANAB SYED MAHABOOB :—"అభ్యుత్త, నేను ఈ తీర్మానాన్ని వ్యతిరేకిస్తున్నాను. అసలు ఈ తీర్మానం ఎందుకు ప్రవేశ పెట్టబడిందని అలాచించినట్లు యితే శ్రీ గవర్నరుగారు ఉభయ శాసనసభ్యుల సుద్దేశించి ప్రసంగించినపుడు శ్రీ ప్రకాశంగారు point of order పై ఉపన్యసింపట, walk-out చేయుట ప్రభుత్వ పక్షానికి ఒక పెద్ద shock వలె తరిణమింపటచే ప్రతికారవర్తగా ప్రభుత్వపక్షం ఈ తీర్మానాన్ని ప్రవేశ పెట్టినది. శ్రీ ప్రకాశంగారు లేచి మాట్లాడినందున అది గొప్ప నేరంగా వారిపై విచారించినది. నవభారత రాజ్యాంగములో వాక్సభాసంఘ స్వాతంత్ర్య హక్కులను ప్రసాదించిన కాంగ్రెసు ప్రభుత్వమే నేడు పౌరసత్వహక్కులను నిర్బంధిస్తూ దానికి వ్యతిరేకిముగా ప్రవర్తిస్తున్నారనట ఈ తీర్మానము వల్ల నే లేటెల్లె ముఖమన్నది ఈ తీర్మానములో శ్రీ ప్రకాశంగారివేరు ఒకటే పున్నప్పటికిన్ని వారితో పాటు walk-out చేసిన U.D.F. సభ్యులందరికి ఈ నేరము వర్తిస్తుంది. U.D.F.



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[Janab Syed Mahaboob]

వీడరు అయినటువంటి శ్రీ ప్రకాశంగారు గవర్నరు అడ్డంకు యిచ్చేటప్పుడు లేచి ప్రశ్ననించారంటే U.D.F. సభ్యులందరియొక్క ఆభిప్రాయం ప్రకారం వారు ఆలా చేసారేకాని అది వారి వ్యక్తిగత ఆభిప్రాయంకాదు. ఈ తీర్మానం U.D.F. లోని శాసనసభ్యులందరికీ కాదు వారికి ఒట్టనిచ్చి శాసనసభ్యులను ఎన్నుకొన్న లక్షలాది ప్రజానికాని కంతకు వర్తిస్తున్నదని చెప్పక తప్పదు. కనుక ప్రజానాయకులని చెప్పుకొనేవారు ప్రజాస్వామికంగా విశ్వాసము వుంటే కాంగ్రెస్ ప్రభుత్వాన్ని నేను ఒక challenge చేస్తున్నాను. ఈ తీర్మానము ఆంధ్రదేశములో ఎక్కడైనా సరే అత్యధిక ప్రజాతాగాన్ని పొందినట్లయితే మేము ఈ శాసనసభయొక్క సభ్యత్వాలకు రాజీనామా యిచ్చి బయటికి వెళ్లిపోతామని challenge చేస్తున్నాను. ఏ ప్రభుత్వమే చే ప్రజలకు సభా స్వాతంత్ర్యాలను మాట్లాడేవారు, లయ సవధారత రాజ్యాంగములో ప్రసాదించిందో ఆ ప్రభుత్వమే అట్టి హక్కులను తీసివేయటకు ప్రయత్నిస్తున్నదంటే అలాంటి ప్రభుత్వాన్ని ప్రజాప్రభుత్వమనిగాని, ప్రజాస్వామిక ప్రభుత్వమనిగాని ఏలా అనగలుగుతారో కాంగ్రెస్ నువారికే తెలియాలి. గత 5 సంవత్సరముల కాంగ్రెస్ పరిపాలనలో ఆంధ్రదేశమంతట ఈ లాంటి విధానాలనే కాంగ్రెస్ ప్రభుత్వం అమలు పరచుటచే వారి వర్తలకు సమాధానంగా ప్రజలు ఈ ఎన్నికలలో తగు సమాధానం యిచ్చారు. ప్రభుత్వాన్ని హస్తగతం చేసుకోవాలని ప్రయత్నించే కాంగ్రెస్ పార్టీకి దేశం మొత్తంలో నూటికి 42 వోట్లునూ, మన రాజధానిలో 100కి 30 వోట్లు మాత్రమే వచ్చాయి. ఇలా ప్రజాసానుభూతిని చలుకుబడిని కోల్పోయిన కాంగ్రెస్ కు శ్రీ గవర్నరుగారు ప్రభుత్వాన్ని కట్టిపెట్టుటచే అసమ్యతి సూచకంగా శ్రీ ప్రకాశంగారు సభనుంచి బయటకు walk-out చేశారుగాని మరియేమీ చేయలేదు. గత 5 సంవత్సరాలుగా కాంగ్రెస్ ప్రభుత్వముయొక్క నిర్బంధ విధాలను వకరిపాలని ప్రత్యక్షముగా తెలుసుకొన్నటువంటి ప్రజలయొక్క అసమ్యతియే నాడు శ్రీ ప్రకాశంగారు సూచించిన అసమ్యతి. అట్టి ప్రజలను లెక్కచేయకుండా ప్రజాభిప్రాయమునకు వ్యతిరేకముగా ప్రభుత్వం తన యిష్టమొచ్చినట్లు ప్రవర్తించుట సరియైనటువంటి విధానముకాదు. అందులకు ఎన్నికలే నిదర్శనము.

“మరియొక విషయమేమనగా ముఖ్యమంత్రి శ్రీ రాజాజీగారు నేను కమ్యూనిస్టులకు ప్రభువు శత్రువును అని ప్రకటించారు. ఇందులో కాంగ్రెస్ పార్టీలో కూడా భిన్న ఆభిప్రాయాలు, భిన్న విధానాలు వున్నవని అర్థమగుచున్నది. శ్రీ పండిట్ నహారా నేను కమ్యూనిజమును వ్యతిరేకించుటలేదు. కమ్యూనిజంలో మంచి ఆశయములు వున్నై కాని వారు ఆచరించుచున్న విధానాలను మాత్రమే వ్యతిరేకించుచున్నానని మాత్రమే అంటూయన్నారు. కాని శ్రీ రాజాజీగారు కమ్యూనిస్టులను ప్రభువు శత్రువుగా declare చేస్తున్నారు. ఈ మాటలను శ్రీ రాజాజీ వ్యక్తిగతంగా అనటంలేదు. ముఖ్యమంత్రి పెరదాలో అంటున్నారని చెప్పగలను. అందులోని అర్థము ప్రభుత్వములో విచ్ఛలవిడిగా తమ ఆధికారాన్ని చలాయించెట్టువంటి వినాదమే యీ వినాదము. ఇటువంటి నిర్బంధవిధానలకు ఆంధ్ర ప్రదేశము నిలయమైందని మరచిపోరాదు. కాంగ్రెస్ ప్రభుత్వము యే దేశరక్షణ చట్టముక్రింద యీ నాడు ప్రజలను డైరెక్ట్ లో పెట్టుచున్నదో అట్టి చట్టాలను అనుసరించి నైజాంపోలీసు యాక్టును సమయమందు సరిహద్దులతోనున్న ముస్లింపెద్దలను యిమాం, నాయబ్, ఖాతిబ్, షాల్వి తదితర వందలాది ప్రజలను డైరెక్ట్ లో పెట్టారు. ఈ చర్యలు మతోన్మాదులకు సరోక్షముగా సహాయపడుచున్నది. ఈ నాడు యీ సభలో ప్రతిపాదించబడినట్టి తీర్మానము వుద్దేశము U.D.F. వీడరు అయినటువంటి ఒక శ్రీ ప్రకాశంగారి కాదు.

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ఆ U.D.F. సభ్యుల చెనుకనున్న లక్షలాది ప్రజలను challenge చేస్తూ ఉన్నదని చెప్పవలసి యుంటుంది. కాబట్టి నేను ముఖ్యమంత్రికి మీకు వారికి శత్రువులమైన సరే ఒక విజ్ఞప్తి చేస్తూ యున్నాను. పండిట్ నెహ్రూగారు నేను కమ్యూనిజంను వ్యతిరేకించడం లేదు అని అంటూన్నారు. మొన్న యిటీవల కాంగ్రెస్ పత్రికలకు సందేశ మిస్తూ మనలను వ్యతిరేకించువారు శత్రువులుకారు. మన అభిప్రాయములతో వ్యతిరేకించువారిని శత్రువులుగా భావించకుండా వారి అభిప్రాయ లను, విధానాలను మార్పుటకు ప్రయత్నించుట మన కర్తవ్యము అని అన్నారు. అందువల్ల శ్రీ రాజాజీగారికి నా విజ్ఞాపనయేమంటే పండిట్ నెహ్రూ అభిప్రాయంలాగా శ్రీ రాజాజీగారు కూడా తమ అభిప్రాయమును మార్చుకొని దేశాభివృద్ధి కొరకు ప్రజాక్షేమంకొరకు పాలుపడనట్లుయితే దానికి కమ్యూనిస్టు పార్టీయేకాదు ఇతర పార్టీలన్ని కూడా తప్పక సహాయపడుతూ యని చెప్పుచున్నాను. గత 5 సంవత్సరాలుగా ప్రజల విశ్వాసాన్ని, ప్రజల సానుభూతిని, నమ్మకాన్ని కోల్పోయినటువంటి కాంగ్రెస్ పార్టీ నాయకులు యీనాడు ఈ తీర్మానాన్ని ప్రవేశపెట్టారంటే వారు లక్షలాది ప్రజలకు వ్యతిరేకంగా ప్రవర్తించుచున్నారని చెప్పుచున్నాను. కాబట్టి యీ తీర్మానాన్ని ప్రశంసించుకోవలసివదిగా సభ్యత్వపక్షాన్ని కోరుతూ యింతటితో విరమించుకొంటూన్నాను.”

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\* SRI G. KRISHNAMURTHI :—“ Mr. Chairman, Sir, hon. Members have been hearing both sides, speakers for the motion and speakers against the motion and it has been really a painful duty for me to be sitting here hearing both sides; it is so on account of the fact that the motion has been brought against a great leader, the Andhra Kesari, the hon. Member Sri Prakasam, who was a terror to the Britisher when he was ruling this country. And by whom has the motion been brought? It has been brought by our revered Rajaji, our Chief Minister, the gentleman who was once holding the reins of power from Kashmir to Cape Comorin. When these two hon. Members are just having if I may say so, a constitutional clash, it cannot but be a painful duty for junior Members like me to be observing it. How I wish these two great brains put their heads together for the prosperity of the country! Healthy differences of opinion will go a long way to shape the future destinies of the country but unfortunately, this motion does not come under that category. This motion is one which is concerned with procedure and these two great leaders hold different opinions with regard to procedure. The question has to be settled whether the joint session is to be a third House of the Legislature and if a third House has been recognized under the Constitution, whether there are special laws for that purpose, whether there is special procedure for the third House (a joint session of both the Houses), whether the rules applicable to the Council apply to that House, who is to be considered as the Chairman, whether Rule 71 of the Council Rules applies and whether His Excellency the Governor as the Chairman could be expected to stop a gentleman from making a speech. When we—when I say we, I mean members barring the two great leaders—do not have any precedent and when the two great leaders differ in regard to their view of the procedure, we, especially I, think it is my duty to beg of the Hon. Rajaji not to



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press the motion. We know that he is the embodiment of philosophy and nothing from a junior Member like me is necessary for him to show that the purpose of the motion has been fully served. The Hon. the Leader of the House yesterday pointed out that the purpose of the motion was only to see that there was no recurrence of such incidents in the future joint sittings and I think that the purpose has been fully served. I have been wondering for some time whenever Rajaji was leaning and watching the younger members speak, whether perhaps in the debate on these two days he has created a background and a training ground for us to speak on such motions. Every member in this House has had a full knowledge of what the conduct should be at the joint sittings and I think it is my duty to beg of the Hon. the Chief Minister not to press the motion but kindly to withdraw it and thus help public opinion to be formed that the Government have risen higher, greater and bigger by not pressing the motion but by simply pointing out the flaw in regard to procedure."

\* SRI E. H. PARAMESWARAN :—" Mr. Chairman, Sir, I had not intended to take part in the sorrowful debate for the reason given by the previous speaker. I have been a great admirer of the hon. Member Mr. Prakasam and I remember how even when I was a student, we looked up to him with admiration and we have been following the great man who has been working for the freedom of the country. When, therefore, the Leader of the House brought forward a motion of this kind, I did not know what to do. I thought that the hon. Member Sri Prakasam being a follower of the Father of the Nation, Mahatma Gandhi, would come to the House and say, 'I did not mean any disrespect, but if it is felt by the Members of the House that a deliberate insult was offered to His Excellency, I am very sorry and (to maintain the spirit of the Constitution in respect of which only two days back I took the oath of fealty) I express contrition for what has occurred. There would have been an end of the whole matter. But what has happened? We find Member after Member from the Opposition pointing out that this House has no power to look into it because this House has no jurisdiction. I maintain, Sir, that this House has every jurisdiction to consider this breach of privilege. An hon. Member said that His Excellency the Governor is not a Member of the Legislature but I told him even outside the House that according to Article 168 of the Constitution, His Excellency the Governor is part of the Legislature. It reads as follows:—

'168 (1) For every State there shall be a Legislature which shall consist of the Governor, . . . .'

and then sub-clauses (a) and (b) follow. He is a part of the Legislature and according to the Constitution he summons the joint session of the Legislature."

SRI M. P. GOVINDA MENON :—" Why not the hon. Member read the other portions of the article? "

\* SRI E. H. PARAMESWARAN :—" This is enough for my purpose and I do not want to read the latter portions. I feel really

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sorry that the friends of the hon. Member Mr. Prakasam did not give him proper advice. I certainly feel that he had every right to advocate his point of view. But there were opportunities for him to do it and there was a time for it. There was the debate on the Governor's Address and he could have at that time given expression to his ideas concerning the alleged unconstitutional acts of His Excellency the Governor in nominating Sri C. Rajagopalachari as one of the Members of the Council. The hon. Member, Sri Prakasam, in the course of his speech to-day repeatedly said, 'I am very glad that no exception has been taken to the speech I made but only to the interruption.' Sir, we certainly take exception to his interruption. We who have come here for the first time were shocked to see, when the head of the State, His Excellency the Governor, had already stood up to address the House, this hon. Gentleman in utter disregard of constitutional propriety standing up and raising a point of order, when the Constitution has not provided for a point of order to be raised then. The framers of the Constitution with all their experience, never contemplated such a situation to arise, and so they did not provide for it. Sir, I do not want to take up the time of the House at this late hour of the debate. I want only to read to the House an extract from Halsbury's Laws of England. I got a copy of that book from the Library of the Legislature. (The hon. Member could not get at the correct page in the book.) Sorry, Sir, I am not able to place my hand just now at the exact portion. There, Sir, it is said that there shall be a breach of privilege when certain things take place. One such thing is, when there is some obstruction to the normal proceedings, there is a breach of privilege of the House. In that book are given several instances where a breach of privilege could be said to have been committed and action taken for the same. But I do not want to go into those details, now. I feel after consideration of all the observations made on the floor of the House, I feel along with many non-party men and many people who are only interested in the progress and welfare of this country that the action of the hon. Member Mr. Prakasam the other day was a calculated and deliberate insult not only to His Excellency the Governor but to the Legislative Council, the Legislative Assembly and the Constitution of India. That is my humble opinion. That speech of Mr. Prakasam was certainly an insult to His Excellency the Governor. He asked: 'Where is there a parallel in the history of any country in the world where a Governor has called upon a nominated member to become the Premier of a State?' Now, Sir, to that, we are inclined to ask back Mr. Prakasam: Are there parallels in this world for a case like that of Mr. Prakasam? He was defeated in the election for the Legislative Assembly, but he got himself elected to the Legislative Council by the Members of the Legislative Assembly and then he asked His Excellency the Governor to invite him (Mr. Prakasam) to form the Ministry. But let that pass. Sir, for Mr. Prakasam there is a constitutional way of bringing up the question. If he and the members of Opposition felt that Rajaji had no majority, they could have moved a motion



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of no-confidence and if they got a majority even by one vote, Rajaji would have resigned. So, Sir, when there are other constitutional avenues open to criticise the action of His Excellency the Governor or to call in question the action of the Government, we are very sorry that Mr. Prakasam should have gone out of the way and acted in the way he did the other day. Even now I humbly beg Mr. Prakasam to say, 'Let all these things be forgotten'. I would request our great leader, Rajaji, also now to consider if anything can be gained by pressing this motion. I would respectfully submit to our leader that we should care for the interests and welfare of the country, and so I again ask him whether anything is to be gained by pressing this motion and whether any honourable solution cannot be found."

\* SRI K. P. YAGNESWARA SARMA :—" Mr. Chairman, Sir, enough has been said on the motion to show what the House feels over this matter. Still if I rise to speak, it is only to say that the motion should be pressed to a division and that the verdict of the House should be given on the motion that has been brought forward here. It was expressed by some members, that this House, constituted as it is, is hardly the House to go into this question of privilege. I beg to state, Sir, that this House contains hon. Members who can adorn any bench in any Court in any country. Sir, it is not the question of the Constitution that has now to be considered. It is what this House feels over the matter; that has to be expressed now; and as such, it is but fitting that the motion must be put to vote and the verdict of the House obtained. I am sorry to note that some sections of the House seem to be in favour of bringing about a compromise on this matter. I do not see how a compromise can be effected over this question. It is not the case of a personal quarrel between the Leader of the House and the Leader of the Opposition. I may say at once, Sir, I am an admirer of Mr. Prakasam. I am second to none in that either in this House or outside it. I have admired his valiant fight for the cause of freedom for our country. I have tried always to hold him up as my ideal. I have always regarded him as the idol of my heart. I have always desired to call him The Lion of India and not Andhra Kesari as our Andhra friends in their narrow parochialism choose to call him. (Hear, hear.) And yet I wish to say, I was deeply pained to see the incident in the House the other day when Mr. Prakasam figured as the chief actor of the scene. If this is the sort of Opposition that he is going to lead in this State I despair of the future of politics in our State. I say it is due to him, to his good talents and to his greatness that he should lead the Opposition on sound principles, and build conventions on sound lines so that the Opposition may really serve the State and not merely hamper the Government. It was stated that no objection need be taken to the speech that he actually made. Sir, I, on the other hand feel, the speech was itself most objectionable in tone and in manner. Mr. Prakasam said, Sir, that he did not recognize the Governor. He said, Sir, that he did not recognize the Leader of the House. If so, Sir,

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his business is entirely outside this House, I would like to tell him. A man who does not recognize the Governor, a man who does not recognize the Leader of the House coming and sitting in this House and referring to the Leader of the House and the Chief Minister of this Government in such terms as he did the other day, is a strange sight indeed. I say it would be well for him to go outside the House and fight this Government on lines that may seem best suited to him and his confederates. I wish to state that this is not a matter over which a compromise is possible. I therefore wish the motion is pressed to a vote and I ask the House to vote for the motion and reject the amendment. The amendment, it appears to me, has been brought forward as a ruse. Judging from the speeches made on his side of the House it looks like an attempt at compromise. On the other hand it is really a ruse. So I wish to warn this House not to fall into the trap."

DR. C. NATHAMUNI NAIDU :—" Sir, I move for a closure of the discussion on this motion."

MR. CHAIRMAN :—" Yes."

SRI S. B. ADITYAN :—" May I speak, Sir? "

MR. CHAIRMAN :—" Yes."

\* SRI S. B. ADITYAN :—" Mr. Chairman, Sir, before touching on the motion, I wish to correct a small error in my amendment of which I have given notice. The following words also are to be omitted :—

**' In deliberate disregard of all constitutional proprieties.'**

It is a mere slip of the hand, and I hope the Hon. Leader of the House will accept the correction now made.

" Mr. Chairman, Sir, the motion which stands in the name of the Hon. Sri Rajagopalachari is ill-conceived. You will observe that the basis of the whole motion is interruption. In fact the Hon. Leader of the House went to the extent of saying that it was not the actual content of the speech of Mr. Prakasam but the interruption itself which was objectionable. If that is so, the motion is ill-conceived. Because, Sir, if you refer to page 8 of the Note on the Privileges of the House of Commons of the Parliament of the United Kingdom, you will see that a very clear distinction is made between members and strangers. There are certain actions which can be taken against members and there are certain other actions which can be taken against strangers. There is a list given there. You will see therein that against a member an action does not lie for interruption. There may be an action against a member for other offences, such as accepting bribes in the ordinary course of discharging his duties. But only against a stranger an action for interruption can lie. The reason is this. Suppose every time I stand up in this House I am charged



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with interruption, then, where is my freedom of speech? If members are to be charged with interruption every time they stand up, then democracy will become a mockery. That is why during the last four hundred years of British history, in the House of Commons, from the year 1547 to be exact, no case of breach of privilege has been brought against members on the ground of interruption. There is not a single case of a member being hauled up for interruption. But in more than a thousand cases, members have been found guilty of breach of privilege on other grounds; but during all this time from 1547 there is not a single case of a member being charged for interruption. For it is his duty in the course of discharging his functions as a member of the House to stand up and speak. So I ask the Hon. Chief Minister, who has moved this motion, whether he had consulted the Legal Department, before he brought forward this motion here. I do not know if he has done it.

“Has he asked the Legal Department to produce a single case out of the one thousand cases and odd in which a Member has been charged for interruption? Such a motion does not lie. The Hon. Chief Minister intends to create a new instrument, a new kind of action and a new engine of oppression so that he can hold it constantly over the heads of Members in order to coerce and intimidate the Opposition. That is why he has brought forward this kind of motion which is unknown in the history of any democracy. The other objection which I take is that this motion does not seek to refer the matter to a committee and is therefore entirely ill-conceived, because all cases of breaches of privilege and contempt should be referred to a committee. It is not as if Mr. Prakasam wants a committee. But I say that that is the usual procedure. The reasons why a reference to a committee is prescribed are many. It gives the accused person an opportunity to adduce evidence. When the matter comes up again before the House, he gets an opportunity to defend himself. That is why the reference to a committee is prescribed. I ask, Sir, is the accused person to be denied an opportunity to place his case before the committee or to come again before the House? That is neither proper nor just. Now, it is prescribed in the Constitution, for allegiance to which we have taken our oath, that a committee shall be formed. I refer to Article 194 of the Constitution. It is not a very difficult legal point. It is very easy to understand. I shall read only the relevant portions of Article 194 (3). It reads—

‘194 (3) . . . the powers, privileges and immunities of a House of the Legislature of a State, . . . shall be those of the House of Commons . . . at the commencement of this Constitution.’

This is very simple to understand. The rights and privileges of Members of this House are those of the House of Commons. On page 134 of May's Parliamentary Practice, it is stated ‘Since 1909 it has been the usual practice in the Commons to refer the matter of the complaint to the Committee of Privileges, and the House suspends its judgment until their report has been received.’ Now let us read these together. It is not very difficult to understand them. Now, the Leader of the other House,

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who is also the Minister in charge of Food and Finance, is an advocate, and he can easily understand Article 194 (3) of the Constitution dealing with the rights and privileges of the legislature. Since 1909 the practice in the House of Commons has been to refer the matter of complaint to the Committee of Privileges, and the House suspends its judgment until their report is received. Therefore, it is clear that according to the Constitution it is necessary, before the House proceeds to consider it and debate on it, that the matter should be referred to the Committee of Privileges. The Hon. the Leader of the House spoke of constitutional propriety. I ask, Sir, if Mr. Prakasam's interruption is in disregard of the provisions of the Constitution, is not the Hon. the Leader of the House going against the provisions of the Constitution in bringing forward his motion and thus disregarding the oath which he took when he took up office? Is he not going against the very provisions of the Constitution? Sir, I do not know whether he referred the matter to the Legal Department. I say that the man in the Legal Department who advised that a motion of breach of privilege could be brought against a Member on the ground of interruption knows so little of law and has not cared to look into the rules, that he deserves to be dismissed on the spot. The person in the Legal Department who suggested that a motion in this form could be brought forward without reference to the Committee of Privileges and against the specific provisions of the Constitution deserves to be sacked. I say that the man who drafted the motion in this form for the Leader of the House to move in this House deserves to be shot (laughter) because he deserves nothing less. (Interruption.) I should not be surprised if the Hon. the Chief Minister enquires into the department and sees how it has become bloated in the last few years from a few officers to four times that number. It is not surprising that no real work is being done there. This provision of the law is very plain and very easy to understand. Even for the layman and for the man in the street, it is very easy to understand. Only those who refuse to understand or who are resolved not to understand will not understand. There is none so blind as he who will not see. The Hon. the Leader of the House is so blind with rage, he is so anxious to wreak his vengeance, and he is so eager to put the hon. Member Mr. Prakasam to dishonour and shame, that he could not wait and observe even the ordinary rules of procedure under the Constitution. The Hon. the Leader of the House said that his desire in fact was to see that there were orderly proceedings in the joint session. I ask, Sir, if that was his real desire, would he have brought forward a motion of this kind before this House? Is he not aware that Mr. Prakasam was speaking not for himself but for 166 elected Members? If he attacks his self-respect, and if he strikes at the self-respect of Mr. Prakasam, he strikes at the self-respect of 166 Members who are returned to the Legislature by the votes of millions of people. Does the Hon. the Leader of the House expect that the people will take this lying down? Will not those Members move a motion of breach of privilege in the joint session



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when it is next held that their rights and their privileges have been attacked and their leader molested? What will he do then? If his real intention had been to see that there was orderly procedure in the joint session, he should not have brought forward a motion of this kind. I submit, if that is his real desire, he should withdraw this motion. This is point No. 1.

“The next point is, he should ask his department to produce the files, which have grown up in number in the last few years, on the subject of regulating the proceedings of the joint session, as to who should preside, what are the rules to be observed, etc., and frame rules just as it has been done in the Central Legislature. In the Central Legislature, they have got regular presiding officers to conduct the proceedings. He should look up those files and read them. He is not familiar with them. He should now frame rules for the conduct of the proceedings. We in the Opposition will help him in matters of procedure. When these rules were being considered on a previous occasion, I pointed out this very thing. The rules are defective. People are surprised that the Hon. the Chief Minister did not raise his voice against the point of order raised by Mr. Prakasam the other day. His Excellency the Governor did not raise his voice. You know, Sir, why they did not do so? The rules did not provide for proper procedure. The rules did not allow them to raise their voice. The rules for the conduct of the proceedings have not been framed.

“The only remedy is to withdraw this motion. Then let the Hon. the Leader look into those files and put the rules of procedure in order. But he may not do it. His purpose is to humiliate Mr. Prakasam and to humiliate the party which he represents, and to humiliate the people who have elected them. Therefore, he will not do that. Sir, this is not the first time that Mr. Prakasam has been hauled up for disciplinary action. The Leader of the House has thrown to the winds the Constitution, law, procedure, propriety, etc. By all means let him go ahead. But let him not talk of high moral principles. Let him not claim respect for him, because of age, because he is not showing respect to a person older than he. Mr. Prakasam has faced disciplinary actions before. There was a former set of Ministers who took disciplinary action against him and had him censured. But what was the end? Those who tried to humiliate him were themselves humiliated. At the general elections the Ministers who tried to censure him were in fact themselves censured by the people. Sir, this drama is being repeated. We have now another set of Ministers, who seek to put Mr. Prakasam to shame. I say that those who seek to put Mr. Prakasam to shame will themselves be put to shame, and I end by saying that those who attempt to punish Mr. Prakasam will themselves be punished by the people.”

\* THE HON. SRI C. RAJAGOPALACHARI:—“Mr. Chairman, Sir, this motion has been debated at pretty great length. The last but one speaker—I am not sure whether my order is right—Mr. Rajeswara Rao referred at great length to my opposition

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to the Communists, and he had said many things on that subject which cannot simply be left untouched by me for I would be misunderstood if I did not refer to them. Let me make it clear again that I understand the policy of the Communists pretty well. They change from time to time according to their scripture. Expediency is their only morality and, therefore, they have now decided, in view of the relative position of opinions and parties in the country—it is my duty to make it clear as I see it—not to press their own ideologies, not to expose their own plain final aim and not to speak about their aims even on labour platforms, but to hide behind other groups whose grievances could now be tapped and exploited. Now I said that my policy is to expose Communism, I must expose their policy. All that has happened in this House confirms and explains my interpretation. It is not their plan now to appear in their own colours. It is their plan to make use of every other lamb-skin or sheep-skin and walk about in the country. True to their decision, they say, 'It is the Leader of the United Democratic Front that has been insulted; it is to split the United Democratic Front that the Chief Minister has done this or has done that; it is to divide us and rule that he has done this and done that'. My object is not to divide and rule; my object is not to split any party; but my object is to see that concealed plans are exposed. Let them unite on an exposed plan; I do not object to it and I shall not come between friend and friend. But when there is a concealed plan, it is my duty to expose it. It is the language of anti-Imperialistic agitation that is used now: 'Do not divide and rule.' It is a very sweet phrase. But how long were you united, I ask? Is it not only now that you have come together? Where is the division and ruling? All this, I submit, is just to throw dust in the eyes of the people. But I shall leave it at that. (Interruption.) It takes me to the next point. My friend thanks me for having provoked feelings so as to bring about greater union. I know it and let it not be imagined by anybody that I am fool enough not to know it. I know that actions of this kind against a senior leader do provoke pity, commiseration and a reaction which may be favourable to the other side. Knowingly, I am doing it. Not that I am ignorant of it. I know that to a certain extent the reaction may be unfavourable to me and to my friends. As I see it, it is not a question of profit to me and to my Party but it is my duty, with reference to the policy of the State as a whole, to see that this wrong is righted or at least put in its proper place. It is not because it is profitable to me that I have brought this motion. I admit Sri Rajeswara Rao is right, Sri Adityan is right in thinking that what I do will bring up greater pity; where otherwise reason has been outraged, it will rouse sympathy and he may get advantage on that score. I admit it; I do not object to it. I have to do it as otherwise the Constitution is betrayed. I know that it is not good for me either personally or for my Party or for the group which may be associated with me, but it is my duty to act in a particular situation in a particular manner. When the Constitution is wronged, I will have to make it quite clear.



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Whether it is profitless to me or even injurious to me does not matter. Let it not be imagined that I have acted without knowing my profit and loss account. I know my profit and loss, but I am not working for profit or loss in this matter.

“ Now, let me go to Sri Prakasam. He referred at great length to the history of the Constitution of India and said that ‘ seemed to have forgotten that King George is not ruling or his successor is not ruling, that the country is independent now and that the people are the rulers themselves. But it is he that is living in the past and is unable to adjust himself to the present. Let me say, ‘ King George is not ruling. Even if he were alive, he would not be ruling. It is not the King of England that is ruling us. The people of this country are ruling themselves.’ Therefore, any insult or any affront or anything indecorous to the Head of the State is an affront to the people of this country and not to King George or to anybody else for that matter.”

SRI S. B. ADITYAN :—“ The Governor is appointed and not elected.”

\* THE HON. SRI C. RAJAGOPALACHARI :—“ You might have moved a motion in the Constituent Assembly that he should be elected. I do not think you had a place there (laughter), but your friends could have done it.

“ Let me point out that I am well aware—I am not dreaming; I am not lost in anger and frustration—and I am quite alive to what is going on around me. The people are the rulers. Therefore, it is I am more particular that we should preserve propriety. The man who insults authority now insults not the British officer but the people of the land. The question is whether the act took place and whether the act was an insult or not. ‘ The Head of the State has been appointed by the President and not elected ’ says Sri Adityan. Are only elected people to be respected in a Republic? Is not the President elected and has not the President appointed the Head of the State? The President has been properly elected and has been properly in office. I hope that is not questioned on a point of order. The President had authority and he has appointed the Head of the State. And what is the meaning of the ‘ Head of the State? ’ He represents the President in the State; he represents the authority of the people in the State, and the oath that was taken by Member after Member on the 3rd instant affirmed loyalty to that Constitution. Therefore, every oath that was taken for affirming loyalty to the State involved with it, carried with it, the duty of decorum towards the Head of the State, and not to put the Head of the State in a position of embarrassment and difficulty at a time when he was performing the function laid on him under the Constitution. I am not, therefore, living with King George in my head, but Sri Prakasam, my old friend, has King Charles’ head in his head. That is the real difficulty of the matter.

“ Then, it was said by Sri Prakasam that he was doing something very proper. That is a matter which has been thoroughly

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gone into and the matter should be quite clear now to everybody. It was thought that because the Governor did not interrupt, because nobody interrupted at the time, he must be presumed to have been in order. Excuse me, Sir, if I say, 'If I go and attack a man and if he cannot and does not protect himself, does that make my act less criminal?' If suddenly you sprang upon the Governor an indecorous interruption at the time when he stood up to speak and his eyes opened out in wonderment at Sri Prakasam's standing up, and when Sri Prakasam went on with his own deliberate procedure, if the Governor did not interrupt and if others did not interrupt, it was firstly due—let me put it frankly as I see it—to shock and secondly due to wisdom. What was our object? Was our object to fight with one another there? Was our object to get victories over points of order there? Our object was to preserve decorum, at least the minimum that would be left after the interruption, and when Sri Prakasam stood up to interrupt, I submit it was wise and proper—first judgments are generally correct—it was wise and proper for the moment for all of us to feel, 'Let this end, they have planned it, and let us not add oil to the fire.' If I had stood up and objected or if someone else had stood up or if the Governor had said, 'Please sit down', the indecorum would have multiplied. That was the reason, let me put it quite clearly to the House. I have no doubt in my mind that it is only a specious argument or at the most idle to imagine that because they kept quiet, it was an order to Sri Prakasam to carry on with his procedure and with his planned interruption. That interpretation is utterly unsound and cannot stand a moment's examination.

“Then I come to the real psychology of the matter. Throughout this morning's discussion, it pained me to see Sri Prakasam. I do not wish to say what in the present context may not be correctly understood. Nobody here has a softer feeling, I claim, towards Sri Prakasam than I have. But, it would not be understood if I say that now. The young people, the new people, would not understand it. The only person that can understand it to some extent is Sri Prakasam himself. He has had many occasions to see that. He was surprised at my conduct on certain occasions, when although everybody was fighting him, I was supporting him. But all that is out of the question just now. I mention it only for this reason that I do hope that at least Sri Prakasam himself will understand me when I say that I am not happy about this matter. I was expecting, I was hoping that the whole thing would end with one sentence or two that Sri Prakasam would say, 'The thing is done. I did not intend any discourtesy. If you think there was any, I am really sorry for it and this motion is misconceived.' It would have ended with that. But instead he has been carrying on the whole of yesterday afternoon and to-day. He speaks as if he were the people and the rest were imposters and pretenders. How can he claim that? I know him enough. He feels he is the people and all the others are imposters, pretenders and interlopers. This is the basis of his psychology. That is why he interrupted. That is why he



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fights tooth and nail against this Ministry and that Ministry. When he is defeated, the people are in the wrong. When he succeeds, it is by right of his own merit. That is his feeling. With that background, we can understand why he felt that he had a right to say to the Governor, 'You have no right at present; you are not competent, Sir,' to address, and if you do not stop addressing, we walk out.' This is the sum and substance of the interruption. I submit, Sir, that is not only indecorous—'indecorous' is a mild word—it is an act of disloyalty and betrayal of the Constitution; it is an attack on the Constitution. Sir, what will happen from day to day? Things grow. Things do not simply copy one another. Things grow as time goes on. Therefore, a thing that started like this with a gentleman of Sri Prakasam's position will only result in a growing chain of increasing disloyalty to the Constitution. When there is no king, when there is no outside authority, when there is no foreign rule over us, when we have to rule over ourselves, when the people have to rule themselves—we all know how difficult it is for one to rule one self or for the people to rule themselves—when we have to rule ourselves, our very life depends on self-restraint. The secret of self-rule is self-restraint. If we do not have order, if we do not respect the Constitution which we ourselves have made in the name of the people, then we cannot get on. Is it not in the name of the people that an Article has been incorporated in the Constitution that the Head of the State should be there at the Joint Session and that the Head of the State should address? Is there not an Article in the Constitution that he should function in that way? Are there not other opportunities of raising points of order or criticising it or objecting to it? I do not wish to go into legal complexities.

“ Sri V. Guruswami Rao put forward a beautiful and very ingenious chain of arguments based on this that it was simply a point of order, that the right of walking out was recognized by the Congress—I think he depends on the Congress for that—and there is no good giving a right to walk out, unless you accept the right of explaining the walk-out. All this is ingenious. People say I am clever and ingenious. I have to say, with due deference, that these people are much more ingenious and much cleverer than I am. (Laughter.) I say it with a certain amount of satisfaction. Young men are coming up. Whether that ingenuity will grow into ability and whether that ability will grow into sincerity—all that has to be seen by and by. But they must start with simple ingenuity in the beginning. It was a very beautiful chain of arguments. But that is not the point. The question is this. The grand opportunity for discussing the points that were worrying Sri Prakasam was the debate on the Address. The Address was to be delivered. We had allotted days for the debate and the time could be extended by the Speaker and by the Chairman. During that debate we could sit down here calmly on opposite sides of the Table and discuss it all to our hearts' content. All these points could have been raised then. Was there any

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necessity for doing otherwise? As my Hon. Colleague Sri Ranga Reddi pointed out, Sri Prakasam had already sent a letter making these points clear to the Governor. It is already there and nobody could say that he did not raise the point previously. When the discussion on the Address was to be taken up in the two Houses separately there was every opportunity. There is no joint sitting in the State under the present Constitution. We come together to hear the Address and we go back to our respective Houses to discuss the address. That is the procedure that is prescribed in ordinary layman's language. When the Houses met separately, the Members could have considered the Address thoroughly, raised any points, and discussed every policy including all that Sri Prakasam wished to say. Therefore, it was gratuitous interruption. It was intended to be a demonstrative interruption. It was not merely a point of order raised because that could be raised later and discussed later. What was the need for that demonstration? It was intended to be an interruption, a colourful interruption and a colourful demonstration when the Head of the State was there.

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" Now, if all this was innocently intended to bring out the defects in the Constitution or gap in the procedural arrangements made for all these things, it was perhaps of some use. It is a serious thing to go against and disrespect the Constitution. It will have a very serious effect on the psychology of the people, because the Constitution was attacked in an open manner without any justification whatsoever. It is necessary to bring a motion like this. Who else could bring a motion of this kind? If I won't be misunderstood to be presumptuous in my comparison, who else but Siva could swallow the poison? When the ocean was churned, Maha Vishnu went to Parameswar and said, ' Well, this is the first prasad. You, as the Premier among the Gods, have to take this poison, the first prasad '. It is recorded by Valmiki that Parameswar smiled and took it. That is a beautiful story. It is a key to a number of problems in the world. Here is a difficulty. Who else can bring this motion in the present circumstances? I thought that I must take up this duty on myself and swallow the poison as it were, so that things may be set right. What else can I do in the present context? Am I to write letters to newspapers? (Laughter.) It would not be right, it would not be proper to go on agitating about it. This is the proper forum because it will not rouse acerbity, but will give an opportunity to Mr. Prakasam at once to stop the whole thing by making a suitable statement. The whole matter would have ended there. It would have been wrong if I had not brought forward this motion before this House and given an opportunity to Mr. Prakasam to explain his case. I think I have answered the point as to why the matter was not taken up at once. I did not wish to increase the disturbance at that time. That is why I did not raise this point and bring forward this motion even then.

" With regard to the other point, namely, why I did not bring forward this motion before the other House, I wish to make the position clear. I have no objection to bring forward this motion



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before the other House also if it is necessary. But, I am quite certain that it would not have been proper, would not have been cricket to bring forward this motion before the other House, where Mr. Prakasam would have to be brought in as a stranger. Here, he is a Member of this House and he is occupying the front place in the Opposition. Here, he can rise, speak, explain and justify his action. Here, he can do a number of things as he is a Member of this House. That is why I thought that it was cricket to bring the motion before this House. We cannot have a joint session for examining this question. 'The Constitution does not permit it.'

SRI T. PRAKASAM :—" It is possible."

\* THE HON. SRI C. RAJAGOPALACHARI :—" We can have a joint assemblage only when His Excellency the Governor comes to address the members of both the Houses of Legislature. We cannot have a joint session for any other purpose, unless of course the Governor said that he was going to have a joint session for discussing a motion of this kind. I say that it is impossible and is not conceivable. It is not possible to bring the two Houses together for a purpose of this kind. I must do it separately if at all it be necessary. I am quite content with the verdict of this House, not because I have a majority here—as was cheaply observed by some, rather, without examining the position fully and properly—but because Mr. Prakasam is a Member of the Council and would have ample opportunity to explain his conduct. It is not a majority question. Mr. Prakasam is a Member of this House, and he must be given the opportunity to explain his position. He will have the opportunity to remove the whole poison. That is why the present motion has been brought forward here. If Mr. Prakasam did not help me and co-operate with me in that manner, then the motion will have to be disposed of by the House. Therefore, I do not think, I am wrong in bringing forward this motion in this House. On the other hand, I think I am perfectly right in doing so.

" Then, Sir, coming to the amendment given notice of by hon. Member Sri Adityan, I wish to say a few words. The amendment is that we should have a Committee of Privileges. Mr. Adityan waxed eloquent on that subject. Ordinarily, when evidence has to be gone into, when cases have to be enquired into, when something is said on the one side and something is said on the other side, an enquiry may be considered necessary. A House of over 300 Members like the House of Commons or a Legislative Assembly here, which is large cannot really deal with a matter of this kind and therefore a Committee of Privileges is indicated. A Committee of Privileges, Mr. Adityan very well knows, is not the authority to give a verdict. It only collects information and reports. It is the House that has to give a verdict. The question is, whether in this case, there is any matter for enquiry, sifting of evidence or collection of data. I submit that this is not a thing which happened outside. It is not an activity that has taken

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place outside for which evidence has got to be culled. This is a case, where something took place in the presence of 375 Members of the Assembly and the total strength of this House. Sir, you were there. The Speaker of the Assembly was there. I was there. Sri Prakasam was there. And everyone of us was present there when this incident took place on the 6th of May. So there is no question of evidence. I have even reduced the matter. I have not gone into everything. I have said in my motion what exactly had to be gone into. I submit that there is no case whatever for a Committee of Enquiry. Hon. Member Mr. Yegneswara Sarma observed that it would be a trap. I shall not call it a trap and will reserve that word for other purposes. I think what he meant was that it was dilatory tactics so to say. We are entitled to adopt dilatory tactics. But the question is whether the House will accept such tactics. Sir, I wish to submit that a Committee of Privileges is not indicated in this case. The whole House has the facts before it and knows the circumstances under which the motion has been brought here. So, everything is within the purview of this House and the whole House should be able to come to a judgment on this matter without further ado about it.

“ I do not wish to dilate on the matter any further. An appeal was made by more than one Member that I should drop the motion. I have done my best to show that the motion was necessary and that the matter was important and that it was not a question of personal ruination or disgrace or anything of that kind. It is not to ruin the other party that I have brought forward this motion here. I cannot ruin the other party by this, as was observed by Sri Rajeswara Rao. It is said that I rather help the other party by this. Therefore, it is all the more clear that nobody is going to be ruined. There is no question of disgrace because Sri Prakasam contends that what he did is right and he has a right to do it. Therefore, there is no question of disgrace either, and I am not so foolish as to imagine that I bring anybody into disgrace by this. It is only a question of setting out the constitutional proprieties clearly, so that we might not be blamed for having allowed a thing like this to occur. That is the real position. Friends have asked me not to press this motion. I have deeply considered their suggestion. A few friends have suggested openly that we should drop this motion. Sir, I would like to repeat what I said when I moved this motion. Let me say again that it gives me no pleasure to give pain to Sri Prakasam. If only he had co-operated with me and if only he forgot all that had happened in the recent past and looked back to the earlier past and had said, ‘ Well, you are not my enemy and you have done your duty. I think was misled when I did the thing. It should not have happened. Since you make so much fuss about it and would not ignore it and since you think that the Head of the State should be protected, I say I had no intention to insult or do anything wrong to the Constitution ’, I would have said, ‘ Well, I drop the motion ’ with great satisfaction. But I now go one step further.



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Whether he says it or not, I will drop the motion. I think we have done enough to show that this is very wrong. If the House will allow me, I shall drop the motion." (Loud applause.)

MR. CHAIRMAN :—Is it the pleasure of the House that the Hon. Leader of the House should have leave to withdraw the motion? "

SRI S. B. ADITYAN :—" On the motion suggested by the Hon. Leader of the House, Sri Prakasam wishes to speak."

MR. CHAIRMAN :—" Where is the need for a speech? "

SRI T. PRAKASAM :—" Mr. Chairman, Sir, may I have your permission to say a few words in this connexion? What I did was perfectly in order and no disregard of constitutional propriety was shown by my action. I do not wish to go back and argue the whole matter over again. I say that I would have failed in my duty if I had not risen and stated what I said the other day to the Governor who was only an agent of the Ministry, which is a servant of the people. We must recognize the fact that it is the people of India who are ruling the country at the present time and not a foreigner. If that is conceded, the stand that I had taken is quite correct. The Chief Minister and other Ministers who were appointed on the basis of the list given by him are all servants of the people. It was on behalf of those servants that the Governor got up to make that address the other day. It was against those servants of the people who have done constitutional wrongs in every possible manner that I wanted to say what I said. I have no cause to regret for having said that. This is a thing about which I am convinced clearly. It is not a court of law for me to raise arguments with a view to convince anybody. There are people here who are as ignorant as the people of Great Britain were in the days before King Charles was beheaded by the people themselves. The whole debate has been carried on here without the copy of my speech being distributed among the Members. In that speech, I referred to the incident of Lord Coke and his ten Judges. The Judges incurred the wrath of the king. They prostrated before the king, touched his feet and asked for pardon. It was only Lord Coke who stood up and asked the king, ' Well, you put me on oath to administer justice without partiality between man and man. I have been doing it till now. You call upon me now to do a thing contrary to what we are doing.' In this country of mine I have been working for so long to protect the interests of the people. I have been interrupted many times in this attempt. So, it became absolutely necessary for me to stand up and fight for protecting the interests of the people. No other interests and no other cause prompted me to interfere with the Governor's Address.

" Therefore, I say that no Governor present can take it as an insult to him or a discourteous act. On the other hand, it was an honour for him that one should stand up and bring to

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his notice where he is, who he is and whom he was addressing. If I had not freely spoken in that manner I would have failed in my duty. I do not request the Leader of the House to withdraw the motion. I object to the withdrawal of the motion. Let those who want to support it support and let those who take the opposite view say so."

MR. CHAIRMAN :—" As the withdrawal of the Motion has not been consented to by the House without dissentient voice, I shall put the original motion to the vote of the House. Is Sri Adityan pressing his amendment? "

SRI S. B. ADITYAN :—" I do not press it."

The amendment was by leave of the House withdrawn.

MR. CHAIRMAN :—" I shall put the main Motion to the vote of the House. The question is—

' Whereas on the sixth day of May 1952, when the two Houses had assembled together for the purpose of listening to the Address of His Excellency the Governor under Article 176 (1) of the Constitution, the hon. Member Sri T. Prakasam in deliberate disregard of all constitutional proprieties, rose and interrupted the proceedings by delivering a speech questioning the competence of His Excellency to address the Houses and casting reflections on his conduct as Governor of this State;

' And whereas by such indecorous and disorderly conduct, the hon. Member committed a breach of the privileges of this House and was guilty of a grave contempt;

' Now, therefore, this House hereby administers a stern admonition to the hon. Member for his misconduct.' "

The motion was declared carried. Sri T. Prakasam demanded a poll.

\* THE HON. SRI C. RAJAGOPALACHARI :—" May I explain my position? I think there has been a certain amount of misunderstanding. When I spoke last about this, I felt that we had thoroughly thrashed the matter out and the error committed had been pointed out publicly and properly and enough was said to set it right. After having done that I felt that I could withdraw the Motion and did not wish to add to the pain that was caused to Sri T. Prakasam. I could see why he committed the error. I felt that on account of his position in life, I should not press my Motion. My duty was only to explain the error and leave it at that and there has been a sufficient and thorough sifting. I asked for leave to withdraw the Motion and you, Sir, asked the House whether they would give leave to the withdrawal. My old friend Sri Prakasam and his friends seemed to think otherwise. Mr. Prakasam was a bit confused and thought that I asked him openly to apologise. I know that he is too proud a man to admit that he has committed a mistake (laughter) and it would not add to my dignity if I asked him to



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do a thing which he would feel humiliated to do. I asked the House to permit me to drop the Motion. But he seemed to think differently that I demanded that he should eat his words."

SRI T. PRAKASAM :—" I shall not obstruct that."

\* THE HON. SRI C. RAJAGOPALACHARI :—" Naturally he has got up to say, ' I shall not obstruct that '. If I may explain what I mean, he says, ' If you wish to withdraw the Motion, do so '. I do not eat my words either. I would definitely say again that he was grievously in the wrong. But he was wrong because he had been deprived of his judgment for the time being by his anger and frustration. I shall not press the motion. Now, as the House gives its leave, I hope he will not rise and say, ' Do not give leave.'"

SRI T. PRAKASAM :—" I do not say ' No ' to his request to the House to give leave to withdraw the Motion. He is at liberty to do so."

MR. CHAIRMAN :—" As the objection to the withdrawal is said to be due to a mistake and as it is the unanimous wish of the House to rescind their old decision and to allow the Hon. the Leader of the House to withdraw his Motion, I now ask the House whether the Hon. the Leader of the House has the leave of the House to withdraw his Motion.

" The House was unanimous that leave should be given."  
The motion was by leave of the House withdrawn.

MR. CHAIRMAN :—" I now adjourn the House to meet again at 11 a.m. on the 14th June 1952. Since the above announcement was made, the session was prorogued on 24th May 1952.

The House then adjourned to meet again at 11 a.m. on Saturday, the 14th June 1952.





# MADRAS LEGISLATIVE COUNCIL DEBATES

## FIRST SESSION OF THE LEGISLATIVE COUNCIL UNDER THE CONSTITUTION OF INDIA.

5th, 6th, 8th, 10th, 13th and 14th May 1952.

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